

IN MEMORY OF

Hon. M. E. Kleberg

GALVESTON, TEXAS

Born February 7, 1849

Died March 1, 1913

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MARCELLUS E. KLEBERG

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In Memory of Marcellus E. Kleberg

A R E C O R D

of

TELEGRAMS, LETTERS, RESOLUTIONS AND
MEMORIAL ADDRESSES RECEIVED BY
THE FAMILY, AND NEWSPAPER
COMMENTS UPON THE
DEATH OF

HON. M. E. KLEBERG

of †

GALVESTON, TEXAS

Born February 7, 1849

Died March 1, 1913

TOGETHER WITH EXTRACTS FROM SOME OF
HIS NOTABLE SPEECHES AND
PUBLIC ADDRESSES

Compiled Under the Direction of His Friends and
Relatives


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CLARKE & COURTS, GALVESTON

Preface.

OR LOVE of Marcellus E. Kleberg—citizen of lofty and wide usefulness; lawyer of distinction; devoted and helpful friend; loving and beloved in home, city and State—his professional brethren make this record.

F. CHARLES HUME.

Honors, Trusts and Achievements.

Law Student, Washington and Lee University, 1871-72.

Admitted to the Texas Bar, 1873.

Member House of Representatives, 13th Texas Legislature, 1874.

Judge Recorder's Court, City of Galveston, 1876.

President Galveston Garten Verein.

President School Board, Galveston Public Schools.

Survivor Galveston Storm, Active in Relief of Distressed, 1900.

One of the Principal Up-builders of Greater Galveston.

City Attorney, City of Galveston, 1904-11.

Regent of Texas University, 1907.

President of Banquet, Texas German Saengerfest, 1909.

Delegate to the National Bar Association, 1913.

One of the South's Foremost Orators.

One of the Leading Lawyers of the State and Nation.

Private Citizen in Front Rank for Civic Improvement and Social Betterment.

In Memory
of
Judge Marcellus E. Kleberg

Mr. Crisp offered the following resolution:

Whereas, The House has heard with keenest regret of the death, at Galveston, of Judge Marcellus E. Kleberg, who began his distinguished public career as a member of the Legislature from DeWitt County; therefore be it

RESOLVED, That in his demise his family has lost a kind and devoted husband, the State a great lawyer, and the City of Galveston one of its foremost, most eminent and valuable citizens and public men; and be it further

RESOLVED, That a page of the House Journal be devoted to his memory, and that an engrossed copy of these resolutions be forwarded to his family; that when the House adjourns to-day it do so out of respect to his memory.

CRISP,
CAMPBELL,
MACGILL.

The resolution was read second time and was adopted unanimously.

Resolutions, Memorials, Letters
and
Telegrams.

**Resolutions Adopted by the Galveston Bar Association
on the Death of Judge Kleberg.**

THE Galveston Bar, in grief and pride, makes this record in memory of Marcellus E. Kleberg, who died at his home in Galveston, March 1, 1913:

Our friend, companion, counselor, brother has passed beyond the impenetrable veil. Moved by the over-mastering human hope and yearning for immortality and the faith that death cannot touch the soul, our lips speak this greeting of love and our hands inscribe this memorial.

Marcellus E. Kleberg was born February 7, 1849, in De Witt County, Texas. His father was Robert J. Kleberg, who fought with Houston and his heroes at San Jacinto.

He was graduated at Washington and Lee University, in the class of 1872, and soon afterwards represented his native county in the Thirteenth Legislature. For a time he practiced law at Bellville, Austin County, where, in 1875, he married Miss Emilie Miller. In the same year he established his residence and law office in Galveston—continuing the active practice until his death.

He was the first president of the Galveston Bar Association, and successively a member of the law firms of Street & Kleberg, Hume & Kleberg, Kleberg, Davidson & Neethe, and Kleberg & Neethe.

Of exceptional activity and efficiency in the conduct of the various employments of the general practice, he was not less so in discharging the quasi-public service, pertaining to the office of City Attorney for an unbroken period of more than seven years.

Strong, alike in counsel and advocacy, he was always welcome as an associate; and while he was ever the forceful

and compelling antagonist, his adversary could not escape the spell of his gracious and unstudied courtesy.

Not only to professional achievement did this accomplished gentleman lend the wealth of his abilities and character. For sixteen years he was president of the Board of Trustees of the Galveston Public Schools, and his wisdom, care and love run like a thread of gold through the formative years of hundreds of the city's children.

In any group of those who knew him best he was easily the central figure. In his charming personality, were blended the giant's strength and the woman's tenderness. Unafraid, he grappled lances with the powerful; stirred to pity, he wept with the helpless.

Heartsore that we lose his comradeship and counsel, it yet remains for us to fit our conduct to the lofty ideals that were his inspiration.

And for his nearest and dearest may the heritage of his fruitful life and stainless name temper the grief that human sympathy cannot cure.

F. CHARLES HUME,
JAMES B. STUBBS,
LEWIS FISHER,
W. T. ARMSTRONG,
EDWARD F. HARRIS.

Committee of Galveston Bar Association.

March 25, 1913.

Remarks of Mr. A. G. Culwell when Presenting the Foregoing
Resolutions to the Supreme Court of Texas.

May it Please the Court:

I HAVE been commissioned by the Galveston Bar Association to present the foregoing resolutions:

These resolutions express in brief the judgment of those associated at the bar of his adoption, and, speaking personally, I am not ashamed to say that the shadow cast by his death so obscures my thought and vision as to make me impotent on this occasion. I stand in the presence of a memory that troublous care can ne'er dim nor adversity

destroy its sweets. He was my friend and adviser. It is said that the lives of good men live after them and may not perish, as poor clay, and in that thought I must be consoled. He belonged to that old school, wherein was taught those higher ideals of right and duty and love of country, which made of him the giant oak he was. He had faith in the power of good, in the capacity of his fellows for self-government, in the wisdom of the fathers who made this a land of constitutional law, as well as the courage to express his conviction. His was that kindness of heart and gentleness of manner which caused his nature to be resonant with the melody of hope and charity and made of him that noblest work of God—a man.

This is the record of the warrior who has fallen and gone to that reward which must await the just, Marcellus Kleberg; and the strength of the character which is thus transmitted to bereaved ones shall, in the years to come, be their staff. His death was sudden, but for which he was prepared. I know that he was not afraid to enter the valley and while to live was a hope, yet I am sure he could have expressed the sentiment of these lines:

Life! We've been long together,
Through pleasant and through cloudy weather;
It's hard to part when friends are dear,
Perhaps 'twill cause a sigh, a tear;
Then steal away, give little warning—
Choose thine own time;
Say not good night but in some brighter clime,
Bid me good morning.

I have the honor, may it please the court, to ask that our resolutions be spread upon the minutes of this Court.

*Response of Mr. Justice Nelson Phillips, on Behalf of the
Supreme Court.*

IN behalf of the Court, I beg to say that each of its members sincerely joins in the sorrow suffered by the Bar of the State, in the loss of Judge Kleberg, and in the tribute to his worth as a man and eminence as a lawyer; so fittingly expressed in the resolutions and address just presented. His was the kind of citizenship that truly

makes the state; that exalts the opportunity for patriotic service, and bequeaths distinct achievement for the public good as its best memorial. He was a lawyer of the highest type, illustrating the best ideals of the profession, signaling its great office in the administration of human affairs, and contributing to its annals much that will endure in proof of his powers and as a just commentary upon his varied and important work at the bar.

And if it be true, as has been well said, that "no marble is so speaking as the place where a good man has labored, or a brave man has died," this forum, so often the scene of his efforts, will constantly proclaim his virtues and testify to the value of his association.

The resolutions will be received and are ordered to be appropriately filed.

**Remarks of Judge Cavin when Presenting the Foregoing to the
Court of Civil Appeals, First Supreme Judicial
District of Texas.**

AT a session of the Court of Civil Appeals of the First Supreme Judicial District of Texas, held April 25, 1913, resolutions of the Galveston Bar Association upon the death of Hon. Marcellus E. Kleberg were presented by Judge E. D. Cavin as follows:

If Your Honors Please:

On the first day of the last month, in the flush of the morning, the bony hand reached out and smote to death a good, loving and beloved man, a distinguished lawyer and advocate a public spirited citizen and a pure patriot. His death in any case would have been a great sorrow to his people, but the swiftness of the blow shocked and appalled them as the rumor of it that was told here and there in the early morning grew before noon to a general wail of sorrow and amazement.

The Bar of Galveston met, and proudly, because of his long-time fellowship, and sorrowfully, because of his now vacant place, adopted resolutions upon his death and I have been directed to present them to this Court,

to be inscribed in its minutes to stand for a record and testimonial of the place he held in the hearts of his friends and brethren.

I can add nothing to this tribute, but I should like to say that his death is to me a very poignant and personal grief. He was kind to me when kindness meant most. Thirty years ago, when I had just been licensed, he invited me to share his office and his books, and I enjoyed that helpful privilege until I could stand upon my own feet. This beginning grew into a close friendship that endured until his death, and there was no time nor circumstance in which I could not ask and have his wise and friendly help and counsel. In the years between, I have enjoyed his genial whole-souled and delightful companionship in many a merry meeting, striven with him and against him in the forum, sought his counsel, and, in times of political tumult and turmoil in this city which he loved, stood with him and followed his war cry raised always for his people. And now I grieve for his death, and I miss him from the places that shall know him no more.

He went with serene courage to meet whatever the mystery is that stands behind the door of the tomb. Beside his coffin a friend, ripe in years and wisdom and experience, who had looked upon death in many forms and many places, in home, and camp and field, said: "I have never seen such dignity in death," and I thought of the words written by the great and good poet, Bayard Taylor:

Dead he lay among his books,
The peace of God in all his looks.

**Response of Mr. Chief Justice R. A. Pleasants for the Court of
Civil Appeals, First Supreme Judicial District.**

THIS Court concurs fully in all that is so truthfully and eloquently said in the resolutions and remarks just presented commemorative of the life and character of our departed brother. His ability as a lawyer was recognized by all of the courts in which he practiced and by the bar of this State. As a practicing lawyer he studied and ex-

pounded legal principles and rarely concerned himself with mere technical refinements. With a mind broad and vigorous and enriched by a wide knowledge of English and German history, philosophy and literature, his views upon any question were always large and comprehensive, never narrow and over-technical. He was never a hair-splitter, but his concern was always with the substantial merits of the question under consideration. These mental characteristics, combined with a great talent for public speaking, and a commanding voice and presence, made him a powerful advocate, and he had few, if any, superiors as a persuasive and convincing speaker before either a court or a jury. But above and beyond his bigness as a lawyer and advocate was the glowing magnetism of his personality. Through his veins flowed noble blood of that mighty race whose achievements in the realms of religion, philosophy and government and in science, literature and art have placed it in the forefront of the world's civilization, and he was worthy of his ancestry. Generous and warm hearted, courteous and sympathetic, and always full of life and enthusiasm, the genial warmth of his friendship, the sparkle of his wit and the ever youthful freshness of his humor made him the most delightful companion. I had known him from my early boyhood. We were born in the same county and his father and mine were close friends and associates. I shall always regard my intimate association with him as one of the great privileges I have enjoyed in life, and my sense of personal loss in his death is beyond expression.

When a traveler passing along a familiar highway reaches a spot where stood a mighty oak, beneath whose spreading branches he had often found shelter from sun and storm, and against whose sturdy heart he had often leaned for support when faint and weary with the trials and hardships of the way, and finds the spot vacant, his heart is saddened and he feels that his future journeys along that highway will be more cheerless and irksome. This illustrates in a feeble way the sadness that comes to the hearts of friends and associates of Marcellus E. Kleberg when they realize that he has gone from among

them and that the places that knew him will know him no more forever.

It is ordered by the Court that the resolutions and remarks made on their presentation be recorded in the minutes, that a page of the record be set aside and inscribed in memory of Marcellus E. Kleberg, and this Court now stand adjourned in honor of his memory.

Resolutions Adopted by the Board of Commissioners of the City of Galveston.

AT a regular meeting, held March 13, 1913, of the Board of Commissioners of the City of Galveston, the following was unanimously adopted:

Our dear friend, Marcellus E. Kleberg, is with us no longer. His earthly life closed March 1st, 1913.

When the final summons comes, inevitable though it may be, those who are left behind mourn the loved and honored one who has gone away into the silent land. Especially are we saddened at the loss of that strong intellect, generous soul and genial companion to whose memory we now offer our tribute of affection and respect. His kindly nature drew about him hosts of friends.

His broad mind, philosophical views and lofty character placed him in the very lead of his profession.

His mind was of admirable poise, his strong and eloquent speech placed him among the great orators of our State.

As a citizen he was a devoted patriot, giving of his time and efforts to the public service. As Legislator, School Trustee, President of the School Board, and as the Legal Advisor and Representative of the City of Galveston, in one of the most important and trying periods of its history, when our city sorely needed the help of the State he made the appeal at Dallas that brought the convention here which put the motto: "Help to Galveston" in the platform of the Democratic party—an appeal so great and so eloquent that none would oppose it—and when it looked

as if the work of raising and saving his beloved home city that it might be forever protected from calamitous overflows was about to stop for lack of funds, his broad knowledge of all the great principles of Constitutional and Municipal law met all the objection that skillful antagonists raised against the legality of the bonds so necessary to complete the work.

He was a native Texan and died in his sixty-fourth year. His father was a soldier in the Texas Revolution, and fought on the field of San Jacinto to achieve her independence.

It is good and pleasant for us to know that he was entitled to and had the friendship and esteem of all that knew him and that to his widow and children he left a precious heritage

RESOLVED, That in his death we sustain a great loss, and that our sympathy goes out to those near and dear to him in the hour of their sorrow.

RESOLVED, That a copy of this resolution be spread upon our minutes, and that a copy, suitably engrossed, be sent to his family.

V. E. AUSTIN	}	<i>Commissioners.</i>
A. P. NORMAN		
I. H. KEMPNER		
M. E. SHAY		

LEWIS FISHER,
Mayor-President.

MART H ROYSTON,
City Attorney.

NOTE—The words "Intellect," "Eloquence," "Patriotism" and "Devotion" were printed on the sides, top and bottom of the original copy of the above resolutions.

Resolutions Adopted by the Board of Directors of the Galveston Wharf Company.

RESOLVED, By the Board of Directors of the Galveston Wharf Company, that we deplore and grieve for the death of Judge Marcellus E. Kleberg, which occurred sud-

denly on the morning of March 1, 1913, at his home in Galveston, in the bosom of his family. By his death this community has lost a most useful citizen, and leader of thought, and upholder of the highest ideals; we are bereft of a most dear friend; and this company suffers the loss of a wise and able counselor and advocate, a patriotic citizen, distinguished lawyer, knightly gentleman—devoted to his family and his friends, and himself the friend of all mankind—there was, and there is, no finer, truer, gentler, and manlier man. God rest his soul. Be it

RESOLVED, By the Board of Directors of the Galveston Wharf Company that the foregoing be spread upon the minutes of this Company, as a slight tribute of the esteem and regard in which Judge Marcellus E. Kleberg was held by the Directors of the Galveston Wharf Company, and that a copy thereof be furnished to his family.

March 4th, 1913.

GALVESTON WHARF COMPANY,

SEAL J. J. DAVIS,
Secretary.

JOHN SEALY,
President.

Resolutions Adopted by the Board of Directors of the American National Insurance Company.

AT a meeting of the Board of Directors of the American National Insurance Company, held at the home office of the company on March 11, 1913, the following resolution was passed:

Whereas, The Board of Directors of the American National Insurance Company has learned with deep regret of the death of Judge Marcellus E. Kleberg of the Company's General Counsel, who passed away on March 1st; and

Whereas, In the death of Judge Kleberg the Company has lost the invaluable counsel and advice of a good man and a great lawyer, and each member of the Board of Directors a true and loyal friend; now, therefore, be it

RESOLVED, That this Board of Directors make this an expression of our sorrow, and that our sincere sympathy

and condolence be extended to the family of Judge Kleberg in the hour of their distress, and that this resolution be spread upon the minutes of this meeting and a copy thereof be forwarded to the family of Judge Kleberg.

Upon motion of W. S. Keenan, seconded by M. O. Kopperl, the above resolution was passed.

W. L. MOODY, JR.,
President.

L. H. COLLIER,
Secretary.

Resolutions Adopted by the Board of Directors of the First National Bank of Galveston, Texas.

AT a meeting of the Board of Directors of The First National Bank of Galveston, held March 4, 1913, the following resolution was, on motion duly seconded, unanimously adopted:

"RESOLVED, That in the death of Judge Marcellus E. Kleberg, which occurred suddenly at his residence on March 1, 1913, this Bank has lost a wise, able and faithful counselor, and the individual members of the Board of Directors and Officers of the Bank a friend whose place cannot be filled. Judge Kleberg was a representative of the highest type of citizen, both in his private and public relations, and during his whole lifetime he was always ready to further the best interests of the community in which he lived, and to give his time and talents on behalf of his fellow-citizens, by whom he was much beloved. His sudden death removes from our midst a dominant personality, a brilliant intellect, and a broad, generous and lovable character, whose example has left its impress upon Galveston, and which will stand for many years to come.

"RESOLVED, That this brief memorial of respect be entered on the Minutes of the Bank, and a copy thereof sent to his family."

FRED. W. CATTERALL,
Cashier.

R. WAVERLEY SMITH,
President.

**A Brief Appreciation of Marcellus E. Kleberg, as a Man
and Friend, by H. L. Hilgartner.**

THE death of Hon. M. E. Kleberg has elicited abundant expression of the universal regret felt in the loss of the admirable citizen and lawyer whose public and professional services commanded a rare confidence and esteem throughout the entire State. In his own city, the loss was felt as a public calamity. Flags were lowered to half-mast, courts adjourned, the city hall was draped in mourning, the City Commissioners met and adjourned (after ordering a floral offering from the city) as a mark of respect—remembering, doubtless, that during the eight years of M. E. Kleberg's service as City Attorney, Galveston never had cause to recede from any legal position taken at his advice. The city schools felt a deep loss, though he had resigned in 1904 from a sixteen-years' presidency of the Board of School Trustees, in order to accept the call to be City Attorney, under the Commission form of Government which made Galveston renowned throughout the world for governmental efficiency and civic righteousness. The University of Texas, if sensible of its obligations, will ever remember him as one of its most competent regents.

Others have spoken adequately of these and other public services and of his professional career. No one (I, perhaps least of all) will speak adequately from the last and highest point of view in considering the place and worth of any man—his character as man and friend. I feel the absolute inadequacy of words to describe a truly magnanimous man, and this attempt to express an appreciation of Marcellus Kleberg as man and friend, will be as brief as it is sincere.

It is idle to debate about the relative potency of heredity and nurture in the formation of character. Both are important. In both Marcellus Kleberg was fortunate. The strong and generous strain of his ancestry endowed him with marvelous vigor of body and inherent soundness of mind. The solidarity of his sterling house and the

nurture of his immediate family engendered in the boy the steadfast strength and courage and fidelity, and the generosity and gentle kindness, that mark the nobly bred and truly cultured man. The congenial atmosphere of the high traditions of Washington and Lee University—enhanced as they were, during Kleberg's college days by the presence and presidency of Robert E. Lee—confirmed and expanded in his youth the tendencies established in boyhood. The result of such fortunate heredity and nurture was—in the superlative meaning of the phrase as used in the Orient—*a man among men*.

I have had the privilege of the friendship of several men of whom I could bear witness, as I do of Marcellus Kleberg, that he was a true man, perfect in all the "weightier matters" of character—justice, mercy, and truth. He was sincere, fearless, and naturally true and kind and modest. He was free from any tinge of vanity or other petty feeling. His temper was good and his manners courteous and genial. Yet he was prompt and firm in resisting any man or action that he deemed injurious; and a mean act or character aroused his hatred or contempt.

No one could be admitted to his friendship without enlarging ideals of all that is meant by *manhood*. Only the great-hearted can be *friends* in the complete sense—in the sense defined by Jeremy Taylor: "By friendship, I mean the greatest love, and the greatest usefulness, and the most open communication, and the noblest sufferings, and the most exemplary faithfulness, and the severest truth, and the greatest union of mind, of which brave men and women are capable." For those who are able to understand, words could tell no more; and for those who knew Marcellus Kleberg as man and friend, words are superfluous.

A Simple Tribute to My Departed Friend of the Deathless Dead.

WHEN Marcellus E. Kleberg departed this life his family, his kindred and his friends lost the loveliest nature I have ever known. A companion the loss of whom

can never be filled. He was the greatest Christian that I have ever met, without a creed; a churchman without a house of worship; the greatest Democrat that I have ever seen. He believed in the Democracy of the nation, the democracy of the home, the fireside, the democracy of the soul, and even democracy of thought.

The Sermon upon the Mount, the Declaration of the American Independence, the Constitution of the United States, and the Golden Rule were the basic guides of his life's action. He was as free from guile as a new born babe; he never sacrificed principle for policy; prejudice had no part in his make-up; charity, sincerity and loyalty to whatever he conceived to be right, were the guiding stars that lighted his pathway from the cradle to the grave.

I have listened to many of the great orators—to my mind I have never heard one who, according to my conception, so completely filled to the full measure the definition of that term. His absolute consciousness in the rectitude of the position he took seemed to be like an electric storm, lying dormant to be touched off by some inspiration directed in its motive as an excitant power.

Many of his great speeches were published; the two greatest were not published. One when he responded to the toast "To the President of the United States," during the first visit of the battleship *Texas*. I was toastmaster and when I thought he was sufficiently keyed to action I called upon him to respond to the above toast. While in the beginning of the flight of oratory, some one mentioned that it was Washington's birthday. That touched the electric button and for twenty minutes eloquence flowed from his lips like a mighty torrent of matchless melodies, his eyes flashed the lightning spark that was but his outward expressions of his innermost soul; he seemed inspired with the idea of personal liberty and what presidents of the United States meant to the great American people, and his diction illustrated that great biblical expression: "From the abundance of the heart the mouth speaketh."

The other was at the grave of my old servant. For genuine pathos and affectionate expression for the lowly

who was there buried, I do not believe that a greater art of the genuine pathos could have been expressed by man. In the closing words, "God bless the old Secretary," there was not a dry eye on the ground.

In conclusion I will say, the family, kindred and his friends, except for the loss of his companionship, should not feel one iota of regret, because he lived to nearly three score and ten; his life was an open book and could be read by a'l men, without one blot on his wonderful manhood.

I am here reminded of the beautiful lines of Savage:—

"New being is from being ceased;
No life is but by death;
Something expiring everywhere to give some other breath.

There is not a flower that glads the spring
But blooms upon the grave of its dead parent seed,
O'er which its forms of beauty wave.

The oak that like an ancient tower stands massive on the heath
Looks out upon a living world but strikes its roots in death.

To-day is but a structure built upon dead yesterday
And progress hews her temple stones from wrecks of old decay.

Then mourn not death! 'tis but a stair
Built with divinest art upon which the deathless footsteps climb
Of loved ones who depart."

DR. A. W. FLY.

**Remarks Made by Rabbi Henry Cohen, of Congregation
B'nai Israel, on the Day of Judge Kleberg's Death.**

I REGRET that I have to preface my usual Sabbath address with an announcement that I am sure will be as great a shock to you as it was to me. In the early hours of this morning Judge M. E. Kleberg was called by the Supreme Being to his reward. I use the term "reward" advisedly, and with premeditation, for if ever a soul deserved a future existence, if ever an earthly life should be prolonged into eternity, it is that of Marcellus Kleberg. If the Kingdom of Heaven is peopled by the manes of those who have attempted to make a heaven of earth, then surely Mr. Kleberg has come into his own.

Of German extraction, he was possessed of those excellent qualities of heart and mind that are inherent in people who combine the American sense of liberty with the best of European traditions. How Mr. Kleberg bore witness to this in his every-day life is a matter of our State and municipal history. Imbued with civic pride, he could have been the recipient of any honor within the gift of the people of his State and city, for the confidence that we had in him was unbounded. When he did represent us anywhere, it was with that quiet and calm dignity and with that thoughtful, scholarly bearing for which he was noted. He thrilled his audiences with his charm of expression and deep sagacity.

I consider that Marcellus Kleberg was profoundly religious in the best sense of that much misused word. Not only did he love his neighbor as himself, but in some instances that I know, more than himself, and this is an excellent test of man's moral worth. More than this, he had his own doctrinal views, but never obtruded them on others; on the contrary, he respected other people's dogmata, which is, in these days of prejudice, albeit waning, something to be eminently desired. Personally I have lost a good friend; friendship was Mr. Kleberg's strong point.

He does not need our prayers, for he is with his Maker. Our hearts, however, go out to the grief-stricken widow and children, who stand in need of the balm and consolation of all who sympathize with them. Their solace must lie in the fact that their dear one left a most enviable name. And among those who tender condolence in their hour of trial, I know that I am uttering the thoughts of all present, when I say that there are none more sincere than the members of Congregation B'nai Israel.

A Tribute from the Imperial German Consul.

THE Imperial German Consul for the State of Texas, Mr. Otto Scheidt, at the Saengerfest in Houston, in 1913, spoke of those German-Americans who made so many

sacrifices for the country either of their nativity or their adoption. He said:

"Before all others, my mind now turns with feelings of deepest gratitude to the memory of my departed friend and adviser, Marcellus E. Kleberg. Born in Texas, a patriot of the highest type, he nevertheless possessed all those great thoughts and feelings which he naturally inherited from his German parentage. His heart felt for every German who came to him for counsel or assistance. Wholly unselfish, ever actuated by the thought to help others, he personified in the highest degree Goethe's immortal words, 'Always noble a man should be, ever ready to help, ever striving for good.' "

A Tribute from his Friend and Partner, Mr. John Neethe.

WHEN I think of Mr. Kleberg, there comes over me a feeling of inexpressible solitude. However it may be with others, the wound caused me by his sudden death will never heal, the blow will never cease to smart. For in him I lost, not the great lawyer nor the accomplished scholar and orator, but a friend whose loyalty never wavered during a period of well-nigh a quarter of a century. Personal as my relations to him have ever been, so must be my elegy. Such a man was he, that I cannot think the ideals and hopes of my boyhood wholly unrealized, nor, indeed, the efforts of my early manhood wholly unaccomplished, when I remember that for many years he was my senior in one of the great professions known to men. And even now it is sweet to know that during all that time there was not as much as a shadow even that came between that serene and beautiful character and him who now, in loving memory, pays, with a tender and faltering voice, this tribute at his grave.

JOHN NEETHE.

East Letter.

[The following letter was written a week before Judge Kleberg's death, to his niece, Miss Tillie Kleberg, of Austin, Texas, and is probably the last family letter he ever wrote. It was his custom to exchange birthday congratulations with her, their birthdays occurring on the same date, and this letter evidences his deep affection for his kith and kin, and is typical of the man:]

My Dearest Little Tillie:

UPON my return from the East, after an absence of seventeen days, I found your telegram of congratulations from Oklahoma, for my birthday. I thought of you on the famous 7th of February, and would surely have wired my best wishes to my darling little "Pausbaeckchen" had I known her whereabouts. I only knew you were not at home, and somewhere in the limits of these United States, having a good time. I spent my birthday before the Interstate Commerce Commission, in Washington, D. C., so you will have to take my congratulations a little late in the day, but they carry with them all the love and hope of happiness for you in the heart of your old uncle, and you may rest assured that is a big lot.

I hope the dear ones at home are all well and of good cheer. Give my love to one and all, and kiss my little traveling companion (Miss Lulu Kleberg) for me, and tell her that I have not had a real first class theater seat since her selection for me in Chicago. God bless you and keep you in health and happiness, is the constant wish of your old uncle.

M. E. KLEBERG.

Friday, February 21, 1913.

Telegrams and Letters.

Terrell, Texas, March 4, 1913.

Miss Alice Kleberg,

1025 Ave. H, Galveston, Texas.

Sister dear, my love and deepest sympathy. Will write later.

DENE.

Corpus Christi, Texas, March 1, 1913.

Mrs. M. E. Kleberg,

Corner H and Eleventh Sts., Galveston, Texas.

Our hearts sorrow with you. ALICE G. KLEBERG.

Austin, Texas, March 1, 1913.

Mrs. M. E. Kleberg,

Galveston, Texas.

We are sad with you, Aunt Emmie. We loved your husband as we loved our father.

MRS. CAROLINE ECHHARDT, JOE AND NORMA.

Kingsville, Texas, March 1, 1913.

Mrs. M. E. Kleberg,

Galveston, Texas.

You have our deep and heartfelt sympathy in this your sad hour of bereavement.

LULU AND CHARLIE.

Washington, March 1, 1913.

Mrs. Emmie Kleberg,

Galveston, Texas.

Terrible shock. You have our deepest sympathy. With love,

LOUISE AND AUGUST.

Yorktown, Texas, March 1, 1913.

Mrs. M. E. Kleberg and Family,

Galveston, Texas.

Accept our heartfelt sympathy.

WM. ECKHARDT AND FAMILY.

Corpus Christi, Texas, March 1, 1913.

Miss Alice Kleberg,

Galveston, Texas.

I am sad with you and your dear ones in the loss of your beloved one. Be brave, my little girl—God bless you.

CAESAR KLEBERG.

Houston, Texas, March 1, 1913.

Dr. Walter Kleberg,

Corner Eleventh and Ave. H, Galveston, Texas.

Uncle Robert and I have just learned of the terrible bereavement. Please convey to your mother our deep sympathy.

EDWARD R. KLEBERG.

Los Angeles, California, March 1, 1913.

Mrs. Marcellus Kleberg,

Galveston.

My heartfelt sympathy goes out to you in your hour of deepest sorrow.

F. J. HILLEBRAND.

Corpus Christi, Texas, March 1, 1913.

Mrs. M. E. Kleberg,

Galveston, Texas.

You have our deepest sympathy in your great bereavement.

R. KING.

Taylor, Texas, March 1, 1913.

Dr. Walter Kleberg,

Galveston, Texas.

Greatly shocked and grieved to learn of Uncle Marcellus' death. Our loving sympathy to you all.

ROBT. J. ECKHARDT.

Beaumont, Texas, March 1, 1913.

Mrs. Marcellus E. Kleberg,

Galveston, Texas.

Am very much shocked and grieved to learn of Mr. Kleberg's death. I considered him one of my best friends. Mrs. Proctor joins me in expressing heartfelt sympathy to you and the family.

F. C. PROCTOR.

Houston, Texas, March 1, 1913.

Mrs. M. E. Kleberg,

Galveston, Texas.

Accept for yourself and loved ones my tenderest sympathy. I feel I have lost a friend; the bar one of its most

brilliant members, Galveston a loyal and steadfast son,
and Texas one of its highest type of citizenship.

S. TALIAFERRO.

Dallas, Texas, March 1, 1913.

Mrs. Marcellus Kleberg,
Galveston, Texas.

In the death of your husband I lose one of my oldest
and best friends. My heartfelt sympathy in your great
affliction.

R. V. DAVIDSON.

Houston, Texas, March 1, 1913.

Mrs M. E. Kleberg,
Galveston.

The death of your distinguished husband is a serious
loss to the great profession. He graced a commonwealth,
of which he was a distinguished and useful citizen, and
the city he loved so well. He was my personal friend,
and I mourn his departure, with his loved ones.

J. F. WOLTERS.

Houston, Texas, March 1, 1913.

Dr. Kleberg,
Galveston, Texas.
Our grief beyond words.

HUME & HUME.

Ft. Worth, Texas, March 3, 1913.

Mrs. M. E. Kleberg,
Galveston, Texas.

We send our most heartfelt sympathy to you and yours
in your great sorrow.

JULIUS BOEHME AND FAMILY.

Cuero, Texas, March 2, 1913

Mrs. Marcellus E. Kleberg,
Galveston, Texas.

We grieve with you in your irreparable loss.

MR. AND MRS. FLETCHER SCHLEICHER.

Ft. Worth, Texas, March 2, 1913.

Dr. Walter Kleberg,
Galveston, Texas.

My deepest sympathy goes out to you all in your great
bereavement. The State has certainly sustained a great
loss. CHAS. K. LEE.

Houston, Texas, March 1, 1913.

Mrs. M. E. Kleberg,
Galveston, Texas.

Heard sad news. We mourn with you all in your great
loss. MR. AND MRS. GUS NEETHE.

Rosenberg, Texas, March 1, 1913.

Mrs. M. E. Kleberg,
Galveston, Texas.

My sincerest sympathy in your sad bereavement.
W. J. MEININGER.

Cuero, Texas, March 2, 1913.

Mrs. Marcellus Kleberg and Family,
Eleventh and H, Galveston, Texas.

With deepest and sincerest sympathy in your bereave-
ment. MRS. WILLIAM FROBESE AND FAMILY.

Ft. Worth, Texas, March 1, 1913.

Mrs. M. E. Kleberg,
Galveston.

Unsere innige aufrichtige Theilnahme.
WERNER WILKENS UND FRAU.

Dallas, Texas, March 2, 1913.

Miss Alice Kleberg,
1025 Ave. H, Galveston, Texas.

I am shocked and grieved to learn of the passing of your
dear father. My sincerest sympathy to you and all.
ALPHONSE KENISON, JR.

Austin, Texas, March 1, 1913.

Dr. Walter Kleberg,
1027 Ave. H, Galveston, Texas.

We have just heard of death of Judge Kleberg. We extend our sincere sympathy to Mrs. Kleberg, her children and Mr. Neethe in this hour of great sorrow. Our citizens have lost an eminently able man, a profound lawyer and a most conservative and conscientious citizen.

JOHN W. CAMPBELL,
CHARLES P. MACGILL.

Houston, Texas, March 2, 1913.

Mrs. Marcellus E. Kleberg,
1025 Ave. H, Galveston, Texas.

Our hearts go out to you and yours in deepest sympathy in your great bereavement.

BERTHA HORBACH AND ELSA SCHMIDT.

Austin, Texas, March 1, 1913.

Hon. John Neethe,
Galveston, Texas.

Was astounded at the news of Judge Kleberg's death. Extend my condolence to the family.

JOHN DARROUZET.

Waco, Texas, March 1, 1913.

John Neethe,
Care M. E. Kleberg residence, Galveston, Texas.

Just heard of Judge Kleberg's untimely death. In his death his wife and children have lost a devoted husband and father, many of us a true friend, the bar one of its ablest and purest members and the State one of her most worthy and honored sons. Convey to the family my sincerest sympathy.

J. D. WILLIAMSON.

Ft. Worth, Texas, March 1, 1913.

J. J. Davis,
Galveston, Texas.

Express my extreme sorrow at the death of Judge Kleberg, and extend to members of his family and his friends my sympathy.

S. H. COWAN.

Austin, Texas, March 1, 1913.

Dr. A. W. Fly,
Galveston, Texas.

Please give our deep sympathy to members of the family of Marcellus Kleberg and to all mutual friends who mourn with us.

HILGARTNER & LEFEVRE.

Cuero, Texas, March 1, 1913.

A. W. Fly, Esq.,
Galveston, Texas.

Please express to family the heartfelt sympathy of numberless friends here who unite with them in mourning the loss of a good, clean, great man.

GEO. J. SCHLEICHER.

Cameron, Texas, March 3, 1913.

Dr. A. W. Fly,
Galveston, Texas.

Tender the family and friends of M. E. Kleberg my deepest sympathy in their great loss. No braver, truer, nobler man ever blessed the citizenship of our great State.

Sincerely,

W. T. HEFLEY.

San Antonio, Texas, March 3, 1913.

John Neethe,
Care Kleberg & Neethe, Galveston.

Am shocked to learn of the sudden death of Judge Kleberg. Please be kind enough to extend to the members of his family my most profound sympathy.

WALTER P. NAPIER.

Ft. Worth, Texas, March 1, 1913.

Terry, Cavin & Mills,
Galveston.

Convey to the family of my dear friend, Marcellus E. Kleberg, my most profound sympathy and sincere condolence. We were classmates two years in the law department of Washington and Lee and then formed a friendship

which has grown year by year. His demise was a sad shock to me, that I will feel most deeply in all my future visits to Galveston.

THOS. F. WEST.

Havana, Cuba, March 2, 1913.

Sampson,
Galveston.

Galveston sustains loss great citizen; we dear friend.

R. B. HAWLEY.

March 13, 1913.

Hon. R. J. Kleberg, Corpus Christi, Texas.

Dear Mr. Kleberg:

No doubt you will think that I am late in writing this letter to extend to you my deep sympathy over the death of your brother, M. E. Kleberg, of Galveston,

I wanted to wire you but concluded to wait until you returned to Texas and then write a letter.

It was my privilege and good fortune to have known your brother for many years and to have claimed him as one of my best friends. I know of no man in Texas whose good will and friendship I esteem more than I did Mr. Kleberg's.

I regarded Mr. Kleberg as one of the leading lawyers of the State, a most worthy and exemplary citizen, and a man that made the world better by having lived in it. In his death the State, his home city and county, and all of his friends have suffered a great loss.

I only wish that it had been possible for me to have extended in person my deep sympathy to his family.

With love to each member of your family, I remain,

With great respect, yours,

W. W. SEARCY.

Kingsville, Texas, March, 1913.

Dear Brother Rudolph:

I cannot realize that our dear brother Marcellus has gone into the great unknown beyond. Let us hope that his spirit has found the spirits of the loved ones gone before. Accept a brother's love and sympathy in our great bereavement.

ROBERT.

Newspaper Comment
upon
Judge Kleberg.

Noted Galvestonian is Claimed by Death.

MARCELLUS E. KLEBERG, of Galveston, one of Texas' notable lawyers, died early Saturday morning in his home at 1025 Avenue H. Heart failure was pronounced the cause of death. Expressions of keenest regret were general throughout Galveston as the news was bulletined, and the passing of a man closely identified with many of the greatest of the city's interests since 1875, when he came here as a 26-year-old lawyer, was the occasion for many marks of respect. A number of flags throughout the city were lowered to half mast. Judge Robert G. Street of the Fifty-sixth District Court and Judge Clay S. Briggs of the Tenth District Court adjourned their courts for the day. The Board of City Commissioners convened in special session, adjourned as a mark of respect to the man who had served with them for nearly eight consecutive years as City Attorney. Mayor Lewis Fisher was authorized to provide a suitable floral offering from the city, and the city hall was ordered draped in mourning. Mayor Fisher and City Attorney Mart H. Royston were appointed a committee to draft appropriate resolutions. Rabbi Henry Cohen, during the morning services at Temple B'nai Israel, paid eloquent tribute to the departed Galvestonian.

A NATIVE TEXAN

Judge Kleberg was born February 7, 1849, at Meyersville, De Witt County. He was the son of Robert J. Kleberg, a veteran of the battle of San Jacinto. After graduating from Washington and Lee University in the class of 1872, he returned to Texas, practicing law in Austin County for two years. He represented De Witt County in the Thirteenth Texas Legislature. October 24, 1875, Mr. Kleberg married Miss Emilie Miller of Bellville. Coming to Galveston in the same year, he engaged in the practice of law, continuing in active practice until his death. He was successively a member of the legal firms of Hume & Kleberg, Kleberg, Davidson & Neethe, and Kleberg & Neethe.

EXCEPTIONAL PUBLIC RECORD

Judge Kleberg was the second City Attorney of Galveston, under the commission form of government, succeeding Judge J. Z. H. Scott January 10, 1904. He held the office without change until May 11, 1911, when he tendered his resignation on account of pressure of private practice. During the period he served the city in this capacity his record was viewed as exceptional. "I can not remember of a single instance in which Galveston has had to withdraw from any legal stand taken on Judge Kleberg's advice," said Commissioner I. H. Kempner when his resignation was regretfully accepted. For sixteen years Judge Kleberg was also president of the Board of Trustees of the Galveston public schools. This office he resigned to take over the work of City Attorney.

SURVIVED BY SIX CHILDREN

Judge Kleberg is survived by Mrs. M. E. Kleberg, three sons, three daughters, two brothers and two sisters. The members of the family are

Mrs. R. C. Eckhardt of Austin, Miss Lulu Kleberg of Cuero, Rudolph Kleberg of Austin, R. J. Kleberg of Kingsville, Miss Emilie Kleberg of Boston, Mass.; Miss Rosa Kleberg and Miss Alice Kleberg of Galveston, Marcellus Kleberg, Jr. of Ballinger, Dr. Walter Kleberg and Robert M. Kleberg of Galveston.

FUNERAL THIS AFTERNOON

The funeral services are to take place at 4 o'clock this afternoon at the Kleberg home, 1025 Avenue H. Rev. Charles S. Aves, rector of Trinity Episcopal Church, is to officiate. Interment is to follow in Lakeview Cemetery. The funeral is to be private, only the family and personal friends of Judge Kleberg being present.

Active pallbearers are: J. J. Davis, D. D. McDonald, Charles R. Brown, Lewis Fisher, I. Lovenberg, Jr., E. R. Cheesborough, John Neethe and A. H. Culwell.

Honorary pallbearers are: Judge Robert G. Street, Judge R. A. Pleasants, E. D. Cavin, J. H. Hill, Major F. Charles Hume of Houston, Barney Tiernan, Chas. Fowler, H. O. Stein, Rev. Henry Cohen, Otto Scheidt, Henry Wilkens, H. J. Runge, C. H. Moore, I. H. Kempner, John Sealy, Valery E. Austin, Dr. A. W. Fly and Moritz O. Kopperl.—*Galveston News*, March 2, 1913.

The funeral services of Judge M. E. Kleberg, who died suddenly Saturday morning, were held at the Kleberg home, 1025 Avenue H, yesterday afternoon at 4 o'clock, Rev. Charles S. Aves, rector of Trinity Episcopal Church, officiating. The funeral services were private, only members of the family and friends attending, but the Kleberg home was filled with friends from different sections of the State, who had come to pay their last respects to one who had been closely associated with them and prominently identified with the history of Galveston for the past thirty-five years. Surrounded by masses of beautiful floral offerings, the remains were conveyed to the family burial plot in Lakeview cemetery, where they were laid to rest.

Among the Texas friends coming to Galveston for the funeral were: Rudolph Kleberg of Austin, Mrs. W. R. Eckhardt and children of Houston, Judge M. Kleberg, Jr., and Mrs. Kleberg of Ballinger, Judge Rudolph Kleberg and Miss Lulu Kleberg of Cuero, Mrs. W. A. Trenckmann of Austin, Herman Miller of Bellville, Marcellus Eckhardt and Victor Eckhardt of Yorktown, Maj. Charles F. Hume of Houston, C. J. von Rosenberg of La Grange, Judge Sam H. Cowan of Fort Worth, Judge R. A. Pleasants of Houston, Judge James K. P. Gillaspie of Houston and Robert Payne and Mrs. Payne of Houston.

Active pallbearers were: J. J. Davis, D. D. McDonald, Charles R. Brown, Lewis Fisher, I. Lovenberg, Jr., E. R. Cheesborough, John Neethe and A. H. Culwell.

Honorary pallbearers were: Judge Robert G. Street, Judge R. A. Pleasants, E. D. Cavin, J. H. Hill, Maj. F. Charles Hume of Houston, Barney Tiernan, Charles Fowler, H. O. Stein, Rev. Henry Cohen, Otto Scheidt, Henry Wilkens, H. J. Runge, C. H. Moore, I. H. Kempner, John Sealy, Valery E. Austin, Dr. A. W. Fly and Moritz O. Kopperl.—*Galveston News*, March 3, 1913.

Judge Kleberg Dies Suddenly.

JUDGE KLEBERG was, at the time of his death, 64 years of age, 37 years of which time was spent in Galveston and Galveston County. Judge Kleberg came to Galveston Island from Bellville in 1876 with several companions and immediately after their arrival began building up the town

of Galveston. Since then he has remained almost continuously in Galveston, practicing his chosen profession, namely, that of law.

Judge Kleberg leaves a wife and six children. The children are M. E. Kleberg, Jr., of Ballinger, Dr. Walter Kleberg of Galveston, Robert M. Kleberg of Galveston, Misses Rosa, Emmie and Alice Kleberg of Galveston.

Marcellus E. Kleberg, born February 7, 1849, at Meyersville, De Witt County, Texas, son of Robert J. Kleberg, a San Jacinto veteran, a graduate of Washington and Lee University in 1872; practiced law in Austin County for two years. Married October 24, 1875, Emilie Miller, of Bellville, Texas. Mr. Kleberg was a representative in the 13th legislature from DeWitt County, coming to Galveston in 1875. He engaged in the practice of law and so continued to the time of his death, during which period he was successively a member of the firms of Hume & Kleberg, Street & Kleberg, Kleberg, Davidson & Neethe, and Kleberg & Neethe. Mr. Kleberg was City Attorney of the City of Galveston under the commission government for eight years. He recently resigned that office on account of increased demands of his private practice. In all public measures whether of State or local importance Mr. Kleberg always occupied a leading position.

Mr. Kleberg was a true friend and a devoted husband and father. His standard both as a citizen and as a lawyer was the highest. He occupied a commanding position among the members of the bar of this State. No man was ever more universally loved and few have lived so useful a life.

Judge Kleberg succeeded J. Z. H. Scott as City Attorney January 10, 1904, and held that office until May 11, 1911, when he refused to accept reappointment. During the period of six and a half years' service as City Attorney, Judge Kleberg rendered the city a service that cannot be measured by dollars and cents. The making of the grade-raising contract, the legality of the bond issue, the securing of the favorable opinion of Judge Dillon, the recognized legal authority on municipal bonds, were all matters of vital importance to Galveston and its future that were handled by Judge Kleberg. No private client ever received more devoted or efficient service than the City of Galveston received at the hands of Judge Kleberg. He was a tower of strength to the city government, and his opinions and advice had great weight with the different mayors and city commissioners. Judge Kleberg never sought public office, and he accepted the City Attorneyship only at the earnest solicitation of those in charge of the city government, backed up by many citizens and leading business men, who pointed out the great importance of the duties of that office and appealed to his patriotism and sense of duty. Three years ago Judge Kleberg was the guest of honor of the Union League Club of Chicago and delivered a great speech dealing with civic duty, patriotism and civic life at the exercises in commemoration of Washington's birthday.

During the services at Temple B'nai Israel this morning Rabbi Henry Cohen, with whom Judge Kleberg had served on a sub-committee of the relief committee in 1900, paid a glowing tribute to the life and works of the decedent.

For many years prior to becoming City Attorney in 1904, Judge Kleberg had been a member and president of the Galveston School Board.

Up to this afternoon arrangements for the funeral had not been made, but will be perfected later in the day.—*Galveston Tribune, March 1, 1913.*

Other Comment.

JUDGE MARCELLUS E. KLEBERG died suddenly last Saturday at Galveston and was buried on Sunday. The popularity of Judge Kleberg was attested by the large number of prominent persons from all over the State who attended his funeral. He was one of the great intellects of Texas, a

sterling and upright citizen and profound lawyer. He was one of the builders in his community. He labored for others as well as for himself. Not only does his immediate family mourn his loss, but all over the Southwest the news of the death of Judge Kleberg has cast a gloom.—*State Topics*.

In the death of Hon. M. E. Kleberg our state has lost one of its leading jurists and public spirited citizens, and an orator who was surpassed by none. The City of Galveston has lost one of its ablest and strongest supporters.

* * * * *

One who knew and understood him must say that we German-Texans can be justly proud that Marcellus Kleberg was one from our ranks.—*Wochenblatt*.

Similar complimentary notices appeared in the *Freie Presse fuer Texas*, Cuero *Rundschau*, and other English and German papers throughout the State.

Judge Kleberg's Withdrawal as City Attorney.

JUDGE M. E. KLEBERG, city attorney for the past seven and one-half years, took the meeting of the commissioners as an occasion to announce publicly his pending withdrawal from the service of the city. Judge Kleberg will serve out his term of office, but wishes his resignation to take effect with the official retirement from the past term of office of the old board of commissioners.

"Before retiring from the board and from an association that has meant much to me," said Judge Kleberg, "I wish to thank the members of the commission for the uniform courtesy and support that I have received during my past term of office. There has been much arduous work in connection with the office, but the associations have made much of it pleasant, and in looking back upon the past seven and a half years, in which we have not lost one suit, I have yet to recall the instance when I have not possessed the support and hearty co-operation of each member of the city commission."

RESOLUTION OF REGRET.

"Mayor Fisher was the first to speak in response to Judge Kleberg's brief address, and his words were echoed by each commissioner in turn. The consensus of opinion, as expressed, was that the board of city commissioners noted with keen regret the departure of Judge Kleberg from the service of the city's legal department. His services had always been in the highest degree satisfactory, and every commissioner, upon approaching him for any business of the city, had been received with all possible consideration. "He has always been on the job," concluded Commissioner Austin, "and the city has received many times its money's worth."

Mr. Austin thereupon proposed that by formal resolution, to be spread upon the minutes of the board, the appreciation of services rendered, and the regret at the withdrawal of Judge Kleberg be expressed. The motion was carried unanimously, and Mayor Fisher appointed the board as a committee of the whole to draft the resolution, with Commissioner Austin as chairman.—*Galveston News*, May 12, 1911.

Some New Heads of Departments.

WITH the election over, "slate-making" is the order of things in and about the city hall. Many rumors as wild as election rumors a month before election are circulating. While some are true and others nearly true, some have developed from rumors to actual facts.

It is known that Judge Marcellus E. Kleberg will not accept reappointment as city attorney, although he would continue in office by unanimous vote if it were not his earnest wish to retire. It has been known to the board of commissioners for some time that Judge Kleberg would not serve beyond the present term, he having informed the members of the board that his private practice demanded his entire attention. He feels that in his seven and a half years service as legal adviser and council for the city he has made many sacrifices, and the commission agrees that his services have been most valuable, and his retirement will be acknowledged with deep regret.

Judge Kleberg has directed the legal course of the city through the grade-raising work and other of the large public projects, and has handled the various bond issues with gratifying results. His record has been an enviable one in the interest of the city and the commissioners feel that if he must retire he is entitled to leave the service with well-deserved laurels.—*Galveston Tribune, May 13, 1911.*

Farewell.

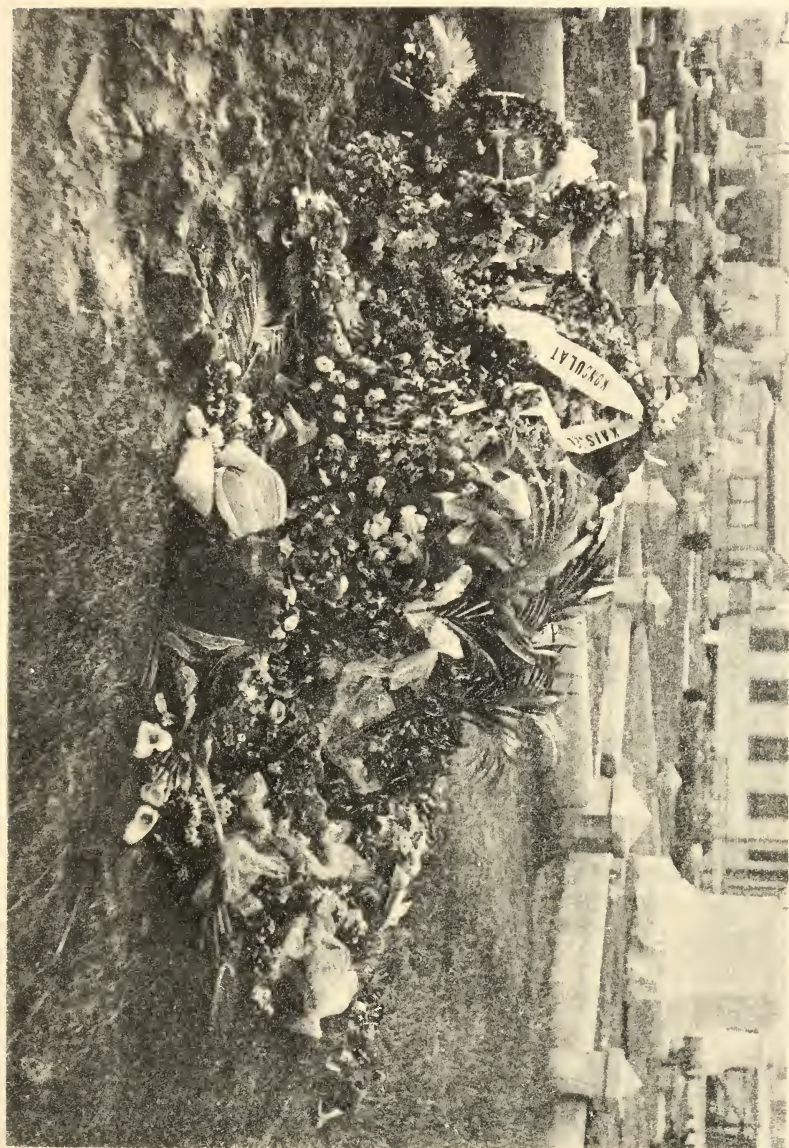
IN MATTERS affecting thy own conduct, thou wert gentle, exacting and timid as a child. Just, noble and generous to a fault, thou wert in dealing with others concerning thine own affairs; but bold as a lion, courageous and undaunted, proud in thy strength, when bravely battling for the rights of others.

Thrice armed wert thou in having all thy quarrels just. With armor bright and open vizor, worthy of thy foeman's steel, thou never dealtst a foul thrust, but from thy shoulder straight didst give thy telling blows, with knightly bearing.

True and loyal to thy friends; kind, provident and affectionate to thine own; learned and profound in the science of the law; broad and philosophic in thought; ready and resourceful in action; wise and eloquent in council and in forum; majestic and mighty when treading the higher walks of life—lifting thy voice for justice, mercy, truth and liberty—thou hast left a priceless heritage to thy family, thy friends and country. Thine, indeed, was a well rounded life from the cradle to the grave; rhythmic like a poem, in all its noble lines.

And now thy body sleeps by the sea thou lovedst so well, in the Island City, in grand old Texas, thy native state; while thy spirit has returned to Him who gave it. Farewell, dear friend and brother, until we meet again upon the mystic shores of the great beyond! Meanwhile, we place these wreaths of love and glory thy friends have kindly woven since thy death, upon thy bier, in sacred memory of thy splendid life and character.

RUDOLPH.



Addresses and Speeches
by
Judge Kleberg.

**Speech Delivered in Accepting the Henry Rosenberg
School, in 1888.**

TO ME has been assigned the high privilege of accepting from your hands in behalf of the trustees of the public schools of this City and all the people of Galveston this beautiful edifice. By the skill of the artisan, the mechanic and the mason, crude material has been fashioned and modeled into a splendid structure symmetrical in proportion and imposing in appearance.

Symmetry and proportion, however, are not its only beauties nor its only merits. Durability of material and strength of construction combine to impress upon it the power to withstand the storms of time and the decay of accumulating years. Long after this day and generation shall have passed away, and long after the happy voices that mingle here to-night in grateful acclaim shall have been hushed into perpetual silence, will this noble pile stand firm and unmoved, looking out upon this Island City, a blessing to generations yet unborn. Yet, however much we may be delighted in the admiration of its architectural beauties, in its pillars and spires and its halls and corridors—all these pale into insignificance in contemplating the cause to which it has been dedicated by you henceforth and forever. Public Education! Thought mounts high at the utterance of these words. Its purpose is to civilize the human race by the cultivation of the intellect and heart. Philanthropy finds no broader field for the exercise of its benign influence than that offered by public education. Morality and virtue are not born of legislative decrees nor military orders, but they spring alone from moral and intellectual training. How boundless then the civilizing influence of public education, and how immeasurable the

service to his fellow men, of him who aids and promotes a cause so ennobling and so beneficent.

The glamour of military achievement may dazzle the imagination and animate the pride of an entire people; but morality and virtue, the pillars of national strength, find no support from its dazzling splendor. And while the name of the successful chieftain or statesman may emblazon the pages of a nation's history, he who aids the cause of education writes his epitaph upon tablets of living hearts, and though no monument of bronze or marble may mark his resting place or speak to coming generations of his valor and renown, a nation's civilization proclaims his glory and commemorates his virtues.

But this is not the time and place to further enlarge upon the noble cause to which you have made so generous a contribution. Your work is finished and ready to enter upon its exalted mission, consecrated by one of the noblest sentiments of the human heart you offer it an untrammelled gift to your friends and neighbors.

I accept it as a part of the public schools of this city to be forever known, in honor to its donor, as the Henry Rosenberg Free School and dedicated to the cause of public education. In accepting it permit me to indulge the hope that you may live long to witness its beneficent results, and to express to you the deep and unfeigned gratitude of those for whom I speak.

**Speech Presenting Flags, on Behalf of the Ladies, to the
Confederate Veterans of Camp Magruder.**

TO COMMEMORATE the deeds of brave and heroic men is one of the ennobling virtues which fill the human heart with deep and holy emotions. When those deeds are crowned with the glories of victory their memory shines in the pride of countless millions, but when overshadowed by the gloom of defeat, they crystalize into priceless mementoes of consecrated grief.

Embalmed in the hearts of the people of the South, to live in undying reverence in the memory of their posterity and forever enthuse the pen of the historian, is the story of the rise and fall of the Southern Confederacy. How inexpressibly sad the memory, yet, withal, how grand the privilege, to stand face to face with the heroes of that gigantic struggle, and to decorate with garlands of patriotic affection the memory of those who laid down their lives for the cause that is *lost*, lost forever. They are, and were, flesh of our own flesh, and blood of our own blood, and to all the world, with the pride of unsullied honor, can we say, of the living: Their heroism was never excelled, and was worthy of the great cause for which they offered their lives in patriotic sacrifice. Of the dead:

How sweet a life was his; how sweet a death;
Living to wing with mirth the merry hours,
Or with his genial tales the heart to cheer;
Dying, to leave a memory like the breath
Of summer, full of sunshine and flowers,
A grief and gladness in the atmosphere.

I fully realize that there is neither time nor opportunity here to advert at length to the causes which led to the great war between the states of the Union. But duty to historic truth is ever present, and opportunity which permits its exercise should ever be availed of, however humble the abilities of him who is charged with its performance.

In the very formation of our government there were born and subsequently grew into living force two distinct ideas of government. The one adopting as its basis the doctrine of a national sovereignty superior to all others and the fountain of all political power. The other holding with the Declaration of Independence that all men have certain unalienable rights, among which are life, liberty and the pursuit of happiness. That to secure these rights governments are instituted among men deriving their just powers from the consent of the governed, and that when a government becomes destructive of these ends and usurps the sovereignty which belongs to the governed, it is the right of the people to abolish it. These principles which had guided the colonies in the War of

Independence and which were generally maintained by the people of the Colonies, prevailed in the formation of the Federal Constitution. That instrument was formed by thirteen independent sovereign states or nations. For upon the achievement of their independence there was no political tie of any kind which bound the colonies together save that of mutual interest and when they formed the Federal Constitution and Union they did so, each acting in the capacity of an independent and sovereign state. It is plain, therefore, that the constitution so framed was an agreement or compact between sovereign states formed for the purposes therein expressed and that the government, created thereunder as the United States, had only such power as was to it therein delegated, and that all other powers and attributes of sovereignty were retained by the states or the people of such states respectively. It logically follows that chief among the reserved powers of the sovereign states which created the Union was the power to withdraw from the compact of Union whenever the people of such states found that it no longer subserved the purposes for which it was created. This is the right of secession, or separation, a right that was generally conceded as the lawful remedy of a sovereign state in dissolving political bonds which were no longer desirable.

When contending sectional interests, political ambition, and the invasion of plain constitutional rights seemed to make a longer adherence to the compact of Union impossible, the Southern States availed themselves of their constitutional right to secede from the Union, and thus was born the Southern Confederacy. Right here let me say that the right of secession was not a doctrine of purely Southern birth, but was fully conceded by nearly all of the leading statesmen of the North to be a great political right. "We hold" says Mr. Greeley in the N. Y. Tribune of November 9, 1860, "with Jefferson to the inalienable right of communities to alter or abolish forms of government that have become oppressive or injurious and if the cotton states decide that they can do better out of the Union we insist on letting them go in peace. The right

to secede may be revolutionary, but it exists nevertheless and we do not see how a party has a right to do what another party has a right to prevent." The government of the United States in disregard of this plain right determined to coerce the Southern States and compel their return to the Union. This they resisted. "They drew their swords for the sovereignty of the people, and they fought for the maintenance of their state governments in all their reserved rights and powers, as the only true and natural guardians of the unalienable rights of their citizens, among which the most sacred is that only the consent of the governed can give vitality and existence to any civil or political institution."

In asserting the right of secession it is far from my purpose to rekindle the embers of a dead and buried past or to advocate its exercise. We all recognize the fact that the great war showed it to be impracticable, but this did not prove it to be wrong—and the only purpose I had in mind to-night was to vindicate the truth of history and to show that the people of the Confederate States were neither "traitors" nor "rebels," but that they went to battle for the principles of free government, taught and handed down to them by their fathers and ancestors.

The arbitrament of war decided against them and they are now part and parcel of the nation of the United States. Should the alarums of war ever again disturb the peace of our common country, the Confederate Veteran and his sons will again by their valor, and his wife and daughter by their fortitude and devotion, challenge the admiration of the world.

However dark and portentous may have been the clouds that lowered above our national destiny, and however fierce and uncompromising the passions of men who locked shields in the throes of battle, there rises above the din of war and the gloom of disaster, the star of Southern womanhood, with an effulgence so bright and beneficent as to merit and receive the chivalric homage and generous blessings of every manly heart. Veterans of Camp Magruder, this same womanhood in full sympathy with the fortunes of the Confederate soldier, in memory

of his valor and heroism offers as a token of its love, to your camp, two flags—one, the emblem of erstwhile Confederate Nationality, and the other, the banner which your dauntless courage so often adorned with the glories of victory.

**Address Delivered Before the University by the Hon. M.
H. Kleberg, of Galveston, on March 2, 1901.**

Ladies and Gentlemen of the University of Texas:

WHEN the invitation of your honored President to deliver an address before the Faculty and students of this University reached me some time ago, my heart was filled with genuine delight. Not because I had been selected the speaker of the occasion, which, though esteemed by me a great honor, naturally produced that timidity of spirit which may well befall any one called upon to address so distinguished an audience; but my delight arose from the welcome intelligence conveyed by the invitation, that the foremost institution of learning in our State had selected the anniversary of a great epoch in our history as a day on which, ever hereafter, that glorious triumph may receive a public demonstration and thus recall to our minds the heroic memories of a great past and kindle anew the fires of patriotic devotion.

Epochs are mile-stones along the highways of history from which we measure great movements affecting the development of the human race and determine the course and causes of historical phenomena. Arising from great historical forces, born of human conditions or masterful political and social truths, they achieve such signal supremacy as to mark a distinct turning point in the flow of human activity, and stand out as "pillars of cloud by day and pillars of fire by night," pointing the march of human or national destiny. Events of this magnitude extend either over the entire theater of human action, and their influence is felt by all mankind, or they are confined to

the history of a single people and their force is measured by national boundaries.

Without contemplating in its largest sense the historical influence of the event we commemorate today, I trust it will not be deemed boastful of one who has ever felt a modest glow of pride in his Texan nativity to maintain that no event in the history of our country, aside from the triumph of liberty and union, shines out with more endurant luster than the stirring scenes which led up to the Declaration of Independence of Texas, and the heroic struggle by which it was maintained amid the steel and flame of battle. This impartial judgment of history will not deny that the results of this event were of masterful importance upon the political and social institutions of the peoples inhabiting the Western Hemisphere. To demonstrate this proposition to be firmly fixed upon historical ground I will recur briefly to some of the social and political conditions which gave rise to the independence of Texas and the birth of a new republic into the family of nations, and also to some of the historical results which are the inevitable consequences of that event.

For the better part of a century the efforts of the Spanish government to colonize Texas by Spaniards or Mexicans had failed of practical success. When the young Republic of Mexico, fresh from fields of victorious contest for independence, opened its portals to foreign emigration of non-Spanish descent, this measure brought to Texas, then a political division of Mexico, emigrants from all parts of the United States on the North and, to a limited extent, from England and Germany. Thus, for the first time in the history of this continent, there entered into Spanish-America in large numbers and as citizens thereof that virile race of men before which centuries ago the "ancient renown and disciplined valor" of Roman legions broke in irretrievable defeat, and which from its earliest appearances in the arena of history asserted and practiced, even in the primeval forest of Germany, the great right of self-government as the basic principle of all civil and political institutions.

While the early settlers of Texas brought with them, undiminished, their love of liberty and free institutions, they were not disloyal to the government and institutions of Mexico. On the contrary, attracted by the new republic achieved through the martyrdom of the immortal Hidalgo and his brave compatriots, and by the principles of human liberty and free government embodied in the constitution of the new commonwealth, they came to Texas with loyal hearts and the firm purpose to yield faithful allegiance to the government and the institutions of their adopted country. Of the national government they asked nothing except protection of their rights as loyal Mexican citizens under its constitution and laws. Voluntary had been their expatriation from the country of their nativity, and fearlessly they encountered the hardships and privations of subjugating a wilderness to the arts and comforts of civilization in the just hope of reaping the rewards of their courage, intelligence, industry and fidelity. It was not until unjust and oppressive measures, violative of the national constitution and fundamental right, were imposed upon them, that they uttered a word of complaint, and then only in the language of loyal citizenship, availing itself of a freeman's great right of petition for the relief of grievances. Among the early settlers of Texas were many men of high intellectual endowment, who had enjoyed the educational advantages of the United States or Europe, and their distinguished services in field and forum adorn the brightest pages of our history and are indelibly impressed upon our civil institutions. The groundless charges of political infidelity, emanating from designing agitators who contemplated the subversion of Mexican freedom, the founders of Texas repelled with eloquent indignation, and demonstrated by their patience, even under the repulsive strain of mortifying provocation, their loyalty to the citizenship of their adoption. This great and important historical truth, which should not be overlooked in estimating the causes which led Texas to independence, finds eloquent expression in the ringing memorial issued by the first convention ever held in Texas to the Federal Congress of Mexico:

"No," declares the memorial, "there is not an Anglo-American in Texas whose heart does not beat high for the prosperity of the Mexican Republic; who does not cordially and devoutly wish that all parts of her territory may remain united to the end of time; that she may steadily advance in arts, arms, agriculture, commerce, manufactures and in learning, in virtue and freedom and all that can add to the splendor and happiness of a great nation." Such is the noble language of the memorial, which should forever put beyond controversy the devotion of the fathers of Texas to the obligations which they assumed upon entering Mexican territory. Deep and irreconcilable must have been the grievances which drove such patriotic citizenship into the hazards and storms of revolution. Civic devotion, however true and unselfish, has its just limitations. Whenever it no longer secures the free and full enjoyment of those inalienable rights which nature and nature's God reserve for all men alike, when a government to which it is accorded no longer cherishes the great principles of human liberty, to preserve which all just government is instituted among men; then, in such a crisis, all obligations of civic duty to such a government are dissolved and the people must appeal to original principles and form a new government which will secure to them and their posterity the blessings of political and religious liberty and the happiness and comforts of personal freedom.

Time and occasion forbid that I should examine, with any completeness, all the causes which impelled the people of Texas to sever the political bonds which connected them with the Republic of Mexico and to appeal to the arbitrament of arms. They are vigorously set forth in the declaration itself, and should ever be held in affectionate repute by the people of this commonwealth. Let me examine briefly, however, the historical results which flowed from the event as a natural consequence and measure the influence upon society and government of the principles and doctrines announced by the declaration and whose infringement or denial was deemed just cause for political revolt.

A new republic panoplied in the sacred armor of liberty stepped into the arena of nations; in area larger than any European monarchy except Russia, she opened a broad and inexhaustible field for human endeavor and enterprise and the cultivation of those arts and sciences which so wonderfully enrich and embellish modern civilization. Upon entering the Union Texas brought directly into that family of states a territory comprising nearly 400,000 square miles, and, indirectly through the Mexican war—one of the results of Texan independence—an additional territory of over 500,000 square miles, embracing within its boundaries the golden shores of the Californias and the maritime highways of the Pacific, thus changing the political geography of the hemisphere and extending the limits of the United States from ocean to ocean and forever securing her supremacy upon the American continent. Of equal import and probably yet greater moment was the independence of Texas and its results upon the development of constitutional government in the United States. While we live under the sanctions and guarantees of a written constitution which creates a government of delegated powers only, the limit of governmental force and authority within the scope of those powers must ever be ascertained and fixed by construction and interpretation. The infirmity of human language, the variety of rights, both public and private, affected by constitutional enactment, and the great operations of government to be carried on under the sanction of the Constitution require its frequent judicial, executive and legislative exposition.

The acquisition of the Louisiana territory and the Floridas was accomplished by contract with the owners thereof under the treaty powers in the Federal Constitution, but the admission of the Republic of Texas into the Union presented unexplored and momentous questions of constitutional power. Mexico had not yet relinquished or abandoned her claim to Texas as part of her national territory and the admission of the republic into the Union precipitated the Mexican war, which was concluded by the acquisition of a vast portion of Mexican domain by the United States under the war power of the Federal

Constitution. Thus another precedent was fixed and another phase entered directing the march of constitutional government.

For ten years after the Declaration of Independence Texas stands in history as an independent republic exercising all the functions and attributes of a sovereign nation. During this time her Congress enacted laws regulating the domestic and business affairs of her people which have left a lasting impress upon the economic and social conditions of the age. At the head of these stands in luminous pre-eminence the act creating the homestead and protecting it from forced sale. "It was the gift of the young republic to all mankind." As an economic measure it has justly received the commendation of the wisest statesmen of the age. Wherever it prevails the squalor of hopeless poverty with its train of degrading miseries no longer blights human happiness or destroys the sweet hopes and honorable ambitions of human life. It develops the dignity and individuality of man by erecting an asylum and refuge for him and the family which the vicissitudes of fortune can not change or destroy, and in which are bred and nurtured those feelings of independence and that bold individuality of citizenship which form the cornerstone of democratic institutions.

Inferior in its beneficent influence only to the homestead act, and a pioneer in the realms of legal and social reform in this country was the act of the Texas Congress which wiped out the barbarous rule of the common law by which the wife at marriage lost her legal identity as well as her separate property and which excluded her from any benefit in the fruits of the joint industry and frugality of herself and husband. By this act the wife retained the ownership of her landed estate and became an equal partner with her husband in the property acquired during marriage. And so the spirit of freedom and justice of Texan independence found expression in this enlightened legislation of the infant republic and emancipated the most important institution of human society from the thralldom of common law tyranny.

But, if the Declaration of Texan independence was a pioneer in the development of general social and economic reforms, its influence upon educational thought and the evolution of educational forces is nothing less than a political revelation. For the first time in history was the failure of government to provide a system of general public education proclaimed just cause for revolution and political separation. Side by side with the inalienable rights of life, liberty and happiness, which are of divine endowment in all men, is placed the right to free education as the handmaid of political liberty and a bulwark of republican institutions. In October, 1832, at the first convention ever held by the people of Texas, in which the delegates participated as citizens of Mexico, the Federal Congress of Mexico was petitioned for such measures as the people conceived essential to their welfare as loyal citizens of the Mexican Republic. In a special memorial adopted by the convention, the attention of the government is pointedly directed to the omission of any steps by it to encourage public education and to create a fund devoted exclusively to that object. Intelligence is declared to be "the main pillar of republican institutions and that without it no republic can be long-lived." By their chosen delegates the Texans again assembled in convention the following year to petition their government for the redress of grievances, and, while the records of this convention are not now extant, so far as I know, there is no doubt that the requests and petitions of the year before, which had not been granted, were renewed and resubmitted. It will thus be seen that the speedy inauguration of a system of public education was ever foremost in the minds of the founders of Texas as a paramount necessity and a fundamental right. When at last the supreme hour had come, when the parting of the ways for weal or for woe had been reached, when further submission or forbearance was treason to liberty, the voice of defiant democracy rang out in clarion notes the Declaration of Independence and proclaimed to all the world that denial of public education was just ground for revolution and political disunion. "It (the Mexican government) has failed to es-

tablish any public system of education, although possessed of almost boundless resources (the public domain) and although it is an axiom in political science that unless a people are educated and enlightened it is idle to expect the continuance of civil liberty or the capacity for self-government." Such is the immortal language of the declaration to be forever enshrined in the hearts and affections of the people of Texas.

And so our fathers marched to battle against a foe many times superior in numbers and disciplined by practice and experience in the art of war. But numerical superiority, disciplined valor and military renown go down in hopeless defeat at San Jacinto, and the Lone Star of Texas mounts to meridian glory over a new republic dedicated to enlightened liberty and the sovereign rights of man.

Involuntarily the mind spans the waste of centuries to pause at the plain of Marathon. There, too, a small number of heroic men strove against overwhelming odds, repelled the march of Oriental tyranny and preserved that marvelous civilization whose light remains undimmed by antiquity or time and by which the ages rule us from their ashes.

When Miltiades arrayed his men for action he staked on the arbitrament of a single battle the fate of Greece and the future civilization of all Europe. So, too, when Houston formed his lines of battle at San Jacinto, he staked upon the fortunes of the day the destiny of Anglo-Saxon government and civilization over a domain comprising now about one-third of the territory of the United States. The results which might have followed his defeat lie far beyond the power of human prophecy or speculation.

Amidst the momentous difficulties and perplexities surrounding the establishment and habilitation of a new government, aggravated by constant assault from savage Indians and hostile Mexicans, our fathers never abandoned or even neglected the sacred promise to the cause of education implied in the Declaration of Independence. As early as January, 1839, President Lamar, in a message which will ever be a monument to his lofty patriotism and

broad statesmanship, urged upon Congress to make liberal provision for a general system of education, including a university. "It is admitted by all (said Mr. Lamar) that cultivated mind is the guardian genius of democracy, and, while guided and controlled by virtue, is the noblest attribute of man. It is the only dictator that freemen acknowledge, and the only security that freemen desire." Congress responded to this message by directing, in an act providing for a permanent location of the seat of government, that suitable grounds be selected for a university, and for common schools, and, by another act of the same session, arranged for the establishment of a system of education throughout the republic. Without recounting in detail the legislation of the Congress of Texas and the subsequent Legislatures of the State in support of a general system of education, I may be pardoned if I today briefly refer to an act to establish the University of Texas, passed in 1858. Already angry clouds foreboding the storms of war darkened our political skies. Silently but inexorably the mighty forces were gathering which were to strive for supremacy in the most gigantic struggle of the century. In the oppressive calm which preceded it, the statesmen of Texas, mindful of the spirit which guided the fathers, passed the act to establish a university, and, by its preamble and terms, proclaimed the purpose and spirit which should animate the institution. As cherished by the fathers of Texas the university is to be an "institution for the instruction of the youths of the land in the higher branches of learning and in the liberal arts and sciences, and to be so endowed, supported and maintained as to place within the reach of our people, whether rich or poor, the opportunity of conferring upon the children of the State a thorough education, and as a means whereby the attachment of the young men of the State to the interests, the institutions, the rights of the State and the liberties of the people might be encouraged and increased." Religious tenet is not to debar from any privilege or office in the university, and no sectarian instruction or tendency shall ever prevail. And so in a contemporary legislative report upon the objects and purposes of the university

from the pen of Senator Wigfall, which for beauty of diction and noble sentiment is unsurpassed in legislative annals, it is declared: "State pride forbids the establishment of an institution not commensurate with the vast resources of the State. The lectures should be free to all citizens of the State. No monopoly of learning should be secured to wealth. The funds we are appropriating were purchased by the blood of the heroes of our revolution. Your committee would regret to see descendants of one who perished at Goliad or in the Alamo excluded from an institution of learning founded by the State from the very fund furnished by his blood, into which the son of a fortunate land speculator could buy his way." Such a university, unconstrained by creed or dogma, but broad as the freedom of American citizenship and anchored in the moral life and affections of the entire people, was the cherished hope of the founders and early statesmen of Texas.

After the great Civil war the work of educational development so grandly endowed by the fathers was resumed by the people of Texas, and has ever since marched with giant step to a higher, better, and more useful purpose.

This idea of free education beginning in the primary schools and ending with a university training falls with appealing force upon the hearts of all who espouse the broad and liberal moral and mental elevation of all men as one of the chief aims and purposes of a progressive democratic civilization. It finds its most devoted and heroic support in the Declaration of Texan Independence. By the principles therein enunciated education is no longer the exclusive privilege of wealth, sex or station, but it belongs as of right to all alike—a glorious heritage, bought with the blood and toil of our fathers, and finds its most splendid realization in this free and noble university. By their valor on the battle-field, by their wisdom in council, by their devotion to liberty and high national ideals, by their privations and suffering, our fathers achieved an empire in domain, bearing in its virgin soil, in its streams and forests and mines and seas untold sources of national and private wealth. All these they laid with open hands

upon the altar of their country, a generous bounty for the prosperity and happiness of future generations. Broad and ample and as the mighty prairies of their beautiful Texas did they build the foundations of their young republic. Free as the waters in her streams as they journey to the sea did they make her citizenship. High as the stars that glitter in her soft skies did they raise their civic ideals above the methods of sordid partizanship and selfish ambition. This heritage has come down to us not for political exploitation or personal aggrandizement, but as a sacred trust to be administered for ourselves and our posterity, with a devotion as patriotic and unselfish as that which inspired its great founders. Let no shriveled parsimony, or narrow-souled statesmanship throw its withering blight upon educational progress and expansion in our State. The basis of our free system of education must always be our public schools, and their growth and elevation to a higher degree of usefulness and efficiency should ever be the aim and untiring purpose of Texan statesmanship, until every village, hamlet and precinct in the State shall partake in amplest measure of their beneficent bounty. The primary, grammar, and high school, in symmetric succession, are the nurseries from which this university, as the capstone of our educational system, must receive its principal student body and find its most vigorous and congenial support. When we shall have perfected such a system, made strong and efficient by liberal and generous financial support and a thorough scientific and liberal course of instruction, we shall have redeemed, only in part, however, the sacred duty which we owe to the patriotic and broad-gauged statesmanship of our fathers and shall have shown ourselves in some degree worthy of our noble patrimony. But the full realization of the lofty ideals which inspired the heroic men who rescued this great commonwealth from savagery and tyranny, and dedicated it to liberty will not be accomplished by furnishing the youth of our State simply with mental and moral equipment for the struggle of life. The men and women of this country must be something more than mere bread winners. The idea which recog-

nizes public education in republics as a natural right, which, when denied or infringed, justifies revolution, contemplates a broad, partiotic, and self-reliant citizenship endowed with the capacity to preserve and maintain free constitutional government for all time—not a citizenship which finds its highest glory in the shameful magnificence of unscrupulous political success, nor that which slights all civic obligations and believes the summit of all duty has been reached by winning the emoluments of fortune; but a citizenship which is dowered with the vigor of broad mental training and armed with a patriotism ready to sacrifice its highest hopes and ambitions for the welfare of home and country. Of such an intelligence and love of country is born a bold and distinctive individuality, whose masculine genius disdains paternalism in the struggle of life and begets that broad, liberal, and self-reliant manhood and womanhood which has ever characterized true American citizenship and made it the loftiest and most splendid amongst the nations of the earth. In such a citizenship lies the genius of American nationality, and if cupidity and greed have sapped its vigor, it behooves us to restore its strength and vitality.

In my opinion one of the most sacred duties of public education in this country is to rear and train true Americans, men and women who, even in the mad rush of materialism, will preserve our ancestral faiths and perpetuate upon this continent free representative government. The glory of a nation is not embodied alone in commercial and industrial power, nor in material wealth and military prowess, but shines forth in most enduring splendor in a virtuous, great, bold and enlightened citizenship.

The primitive simplicity of institutions in which governmental functions are little needed, and in which the intricacy of modern governmental problems is little known, is passing away. The enormous increase of our population; the maintenance of just property rights so essential to civil liberty against the heresy of socialistic tendencies; the ever widening area of governmental operation by territorial and industrial expansion; the increasing difficulty of applying even well understood and generally accepted

principles to modern commercial, social, and economic conditions at home and abroad, and the large combinations of capital counterpoised by the power of consolidated labor, call for a wide and comprehensive intelligence in our citizenship and an intimate acquaintance with the experience and affairs of other countries. So to guard "competitive parties, which are the natural process of free institutions" for the maintenance of sound political principle and the arraignment of political error and fallacy at the bar of public opinion, against dangerous or vicious perversion and the elevation of party fealty above devotion to country, requires the highest order of patriotic and unselfish statesmanship. These and other high demands on our citizenship invest this university with a grand and noble mission. Situated at the southern extremity of the great republic, the head of the educational system of a mighty commonwealth destined to assume a position of pivotal power in the national councils, its ultimate influence lies beyond human prophecy and may only be measured by the lofty ideals of its immortal founders. Scholarly solidity and exactness and academic brilliancy alone will not meet the just expectations of its founders or the exigencies of the times. A liberal, comprehensive and scientific mental development, buoyant with energy and patriotic inspiration and capacity to grapple with the problems of today and tomorrow, must be the legacy bestowed upon its student body. In a university in which shall be reared such a manhood and womanhood so trained and inspired, will the hopes and ideals of our fathers, for which they unfurled the standard of revolt, be realized and perpetuated

May the portals of the University always swing wide to the studentship, rich or poor, from every part of Texas; may its attendance grow and multiply from year to year and the spirit which would limit or abridge it perish from the face of the earth; may the Lone Star flag, the erstwhile ensign of our independent nationality, and now the emblem of the University, float from its domes and spires to the end of time; may its endowment and support be ever commensurate with the mighty area and wealth of our

giant State and make it the keystone in the arch which binds Texas together "now and forever, one and inseparable."

**Speech Presenting to the State the Rosenberg Monument
to the Heroes of the Texas Revolution.**

Ladies and Gentlemen:

THE nineteenth clause in the will of the late Henry Rosenberg declares as follows:

"I give fifty thousand dollars for the erection of an appropriate monument in the City of Galveston to the memory of the Heroes of the Texas Revolution of 1836. The execution of this bequest is charged upon my executors who will adopt plans and have the monument erected under their immediate supervision."

In obedience to this provision of the will, the executors have caused this monument to be erected, and placed at the intersection of two principal streets of the City of Galveston, and at their request I now enjoy the honorable distinction of presenting it through their Chief Magistrate, to the people of Texas.

When hardly more than a boy Henry Rosenberg left the freedom of his Alpine home and his native Switzerland to cast his fortunes and destiny with the young Republic of Texas. In 1843 when the Lone Star flag was yet the proud emblem of the sovereign nationality of the young Republic he settled in the City of Galveston, where he lived the remainder of his life as a quiet, useful and unobtrusive citizen. Sprung from a race of men whose sturdy valor saved in pristine purity the great principles of self-government as practiced by our ancient ancestry in the great forests of Germany, he brought with him that love of country and indomitable energy which spring from a bold individuality bred in the atmosphere of free institutions. Deep in his heart lived the great memories which hallow the history of his own native land and filled him with a

genuine veneration for the brave men who had, life in hand, rescued from bondage the empire of Texas. His was a life full of effort and unceasing application. By industry and frugality, energy and sterling integrity he accumulated the great fortune which before and after his death he gave with open hands for the noble and munificent benefactions which adorn our City and bless his native village in far away Switzerland. It is not strange, therefore, that a man so endowed and animated by a truly patriotic devotion should, among the princely charities of his will, provide for a monument, which will unceasingly call to mind, even amidst the sordid pursuits of life, the heroism of that dauntless band of men which gave to the world a new nation, and crowned her with a tiara of freedom—"The Heroes of the Texas Revolution of 1836."

Among all civilized nations and at all times, both ancient and modern, it has ever been esteemed a sacred honor to perpetuate by pillar and monument the memories of a great and glorious past. Such a past arises before our mental vision today to inspire us afresh with its mighty presence as we contemplate this splendid tribute to the memory of the fathers of Texas.

Adorned by allegory, medallions and thrilling scenes of battle, the monument stands before us in noble proportions. Upon a broad foundation rise its stately columns and hold aloft the impersonation and Statue of Liberty. In one hand she holds the sword "for freedom drawn," and in the other the wreath of victory to crown her faithful sons.

The Alamo, with its unparalleled drama of heroism, speaks to us again the language of patriotic devotion and valor, which the generations of men shall forever and ever cherish as a priceless heritage.

Of its heroic defenders not one survived to bear the message of defeat and death to his country and his people. Their fame belongs to the ages forevermore. Unbidden the mind spans the waste of centuries to linger at the pass of Thermopylae. Yet the bravest of the brave who fell with Leonidas may not dispute the palm of heroism

with the immortal defenders of the Alamo. "Thermopylae had its messenger of defeat—the Alamo had none."

The bloody tragedy at Goliad where young and gallant Fannin and his comrades fell victims to the crowning infamy of the century involuntarily dims the eye and wraps the heart in the gloom of sorrow. Yet even amid this carnival of death we stand in mute admiration of these heroic men. Brother cheers brother and comrade calls to comrade as they march into the holocaust of death, and seal with their lives their lofty devotion to home and country.

Another scene now comes before us. We stand in the trembling sunbeams of the 21st of April, 1836. On the plains of San Jacinto a small band of patriots is marshalled in battle array—ready to sacrifice their lives on the altar of liberty and to hazard upon the issue of battle the destiny of an empire. Free government and human liberty tremble in the balance on this fateful day. The supreme hour in the arbitrament of war has struck. Nerved by the bloody memories of the Alamo and Goliad they rush upon the enemy with the awful resolve to win or die. In twenty minutes the army of invasion is shattered and broken, and among the constellation of nations glitters the Lone Star of the Republic of Texas.

The next panel perpetuates the historic scene so graphically depicted by the great painting of Huddle—General Houston resting under the shade of the lonely tree, prostrated by his wounds, dictating the terms of peace which forever established our independence.

At the base of the column, looking to the west, sits Peace, impersonated by a noble statue, typifying the wonderful agricultural and industrial development of our great State under the invigorating influence of a free and progressive government. At the eastern base of the column, in majestic allegory, stands the spirit of defiant democracy ready to battle for human liberty and free government.

To minutely describe this splendid monument would be foreign to the commission which I bear. I have mentioned some of the leading events of that heroic struggle which resulted in the independence of Texas and which are commemorated by this monument. In its columns

and its figures, its reliefs and medallions, the artist has fitly expressed the wish of the noble donor and perpetuated the memory of the "Heroes of the Revolution of 1836."

Its domicile is forever fixed, by testamentary declaration, to be in the City of Galveston. But the monument itself, like the imperishable glory of the past which it is designed forever to perpetuate, belongs to all the people of Texas. It is a free gift of the patriotic testator and philanthropist to all his fellow citizens of the State and it is theirs to honor, guard and protect as they would the tomb of their sacred dead. Massive, and yet graceful, it will defy the storms and ravages of time to guard the glory of our heroic fathers. Beneath its shades the ages may moulder and around its summit the centuries will play.

And now your Excellency, in the name of the executors of the last will of Henry Rosenberg I present to all the people of Texas, through you, their chosen Governor, this majestic monument.

Speech Made at Galveston Orphans' Home.

Ladies and Gentlemen:

IN OBEDIENCE to the request of a lady prominently connected with this institution, I appear before you tonight to make a few remarks, which I trust will be found appropriate to this occasion.

I am deeply conscious of my inability to say anything that will add dignity or impressiveness to these ceremonies. We have assembled here to commemorate the anniversary of a charity of the highest benevolence; a charity that is dictated alike by one of the most tender sentiments of the human heart and a patriotic love of country. Nothing appeals more entreatingly to the best sentiments of our nature than the sorrows and misfortunes of infancy and childhood. For them our partialities, as well as our

natural selfishness, expire in favor of the glories of charity and beneficence. Such a charity speaks its own eulogy, and our language seems utterly inadequate to express our emotions.

True charity does not belong to any particular country, or to any nation, race or creed. Its habitation is in every clime, under every sun, in every generous human heart, and its home is in the bosom of God.

The excellence of our civilization is largely measured by our public charities. Neither material progress and prosperity, nor the glamour of martial achievements, nor yet the charms and graces of society may alone or together furnish the full standard of a high and excellent civilization. Its dearest virtue must always be measured by a deep and wide humanity, which has for its purpose the alleviation of the sorrows and misfortunes which invariably come to mankind. To practice such charity is applied religion, and brings consolation to the soul, sunshine to the heart, and happiness to those most in need of it.

True charity is patriotic and he who practices and lives it exemplifies true devotion to his country and his people.

He is justly accounted patriotic who fights his country's battles and offers his life for the defense of his people. In the performance of his duties as a soldier he is cheered and sustained by the plaudits of his fellow men, and at his death monuments are erected upon his grave to testify to coming generations of his heroism and his patriotic devotion.

The statesman who guides his country's destiny is justly awarded the meed of patriotism, and is rewarded not only by the gratification of his personal ambition but by the fame that lives after him and which speaks his praises in the pages of recorded history. But he who devotes his time in the exercise of charity, by alleviating human sorrow and sufferings, and brings cheer and gladness to the hearts of the forlorn and unhappy, performs a patriotic duty to his country that measures up with full equality to the heroism and fame of soldier and statesman.

I cannot be amiss, it seems to me, if I appeal to all to lend material aid for the support and maintenance of the beneficent charity with which we are confronted to-night. It seems to me to be a sacred duty imposed upon our people to come to the aid of the ladies who are in charge of this institution, and other institutions of charity in our city, with a most generous and open hand. Every one should give according to his means and should always remember that in doing so he is performing the office of a true and patriotic citizen of his country and practicing the religion of his Maker. Then, too, it must be remembered that in the performance of his duty he will receive, as a compensation, the sweetest reward which comes to the hearts of men and which is bestowed only for good and generous deeds.

We glory in our daily achievements in the various walks of life which our destiny may have assigned to us, and feel the gratification which comes from successful efforts and endeavors, but no one with a real heart in his bosom will for a moment compare the sense of joy and delight which comes to his soul in the performance of a noble and beneficent deed with the gratification arising from material progress and success.

Selfishness is a natural and necessary element in the qualities which go to make up a successful human career, but when it is so developed as to deny charity and benevolence to others, it becomes a curse inflicted by an angry God. Such a man, however materially prosperous, is an object of pity, for to his soul there shall never come the blessings of charity to his fellow men, and he

"Living, shall forfeit fair renown,
And, doubly dying, shall go down
To that vile dust from which he sprung,
Unwept, unhonored, and unsung."

I know what I have said is but a feeble expression of what should be said on an occasion of this kind, but I trust that all within the sound of my voice will do me the honor to believe that it is an expression of my genuine conviction, and that they feel with me the duty we owe to this institution and join me in invoking upon it the blessings of Almighty God.

**Speech Delivered Before the Union League Club,
Chicago, February 22, 1910.**

Mr. Wilder, Ladies and Gentlemen, and Fellow Countrymen:

I COME from the extreme border of our great Union, and, naturally, have not the privilege of an acquaintance with many of you, indeed, very few in this great audience. Nevertheless, I feel that I am not speaking to strangers or aliens, for the people of the State of Illinois and of the great City of Chicago are not strangers or aliens to the people of Texas. They are bound to each other by the lofty and patriotic ties of a common citizenship, and by the same hope and aspirations for the ultimate destiny of a common country. I know that I am speaking to Americans, who, like myself, are proud of the title of American citizenship.

To deliver an address before an audience so distinguished and so accustomed to hear the eloquence of the great orators of the Union, is an undertaking well calculated to fill with trepidation the heart of any one, though not unused to public speaking, and to impress him with a sense of his inadequacy to meet the expectations of the hour. This consciousness, with me, is intensified many times in contemplation of the great event we have assembled to commemorate; an event which awakens all that is noble in patriotism and devotion to country and which challenges the ambition and endowment of the greatest intellects of our country.

While I am deeply sensible of the great honor which comes to me by your invitation to speak on this occasion, I confess it is with much hesitancy that I venture to do so. Yet, I gather courage and confidence from the inspiration which this day brings to the heart of every devoted American and from the opportunity afforded me to assure this great patriotic organization that, in far-away Texas, the fires of patriotic devotion burn with undiminished vigor and that the civic ideals of her citizenship ever gather new inspiration from the imperishable name and fame of America's greatest citizen.

Texas followed in the footsteps of Washington and the Colonists in a struggle for independence, and today the Alamo and San Jacinto stand side by side with Bunker Hill and Yorktown as enduring monuments of heroic achievement in the cause of constitutional government and human freedom.

However, it is not my purpose to-day to speak only of the citizenship of my native State, but of some phases of our social and political life, as they manifest themselves in state and nation, and to point out their effect, as it appears to me, upon the standard of American citizenship.

Citizenship in the United States, more largely than elsewhere, is the result of strong environment and bold historic development. The principal races from which our citizenship is moulded, from the time of their appearance in history, have been pre-eminent for the devotion to personal freedom and for individuality and self-reliance.

Amid the mountains and valleys, the forests and plains, and among the mighty lakes and rivers of a virgin continent, ever confronted with the hardships and privations of frontier life and constantly embattled with a fierce, relentless and savage foe, these predominant traits of character expanded and developed, and moulded the heroic citizen soldiery of the continental army.

In this mighty crucible of conquest and battle, of toil and effort, in subjugating a wilderness to the arts of peace and civilization, Cavalier and Puritan, Teuton and Celt and the various elements of European peoples which found asylum on American shores, emancipated from the divine right of kings, were welded into a new, bold, self-reliant and generous citizenship, whose masculine genius disdained paternalism in the struggle of life, and begat courageous, liberal, sympathetic and self-assertive manhood and womanhood which has ever characterized true American citizenship, and made it the loftiest and most splendid among the nations of the earth.

In no phase of our country's history has the lofty patriotism of her citizenship shown out in greater triumph than in wiping out the traces and animosities of the great Civil War. Within a generation after that tremendous

struggle the bitterness it engendered in the hearts of the contending parties faded away, as did the smoke from its battle-fields, and to-day a patriotic and united citizenship stands in unbroken ranks in support of flag and country. Such a citizenship is the bulwark of our free institutions and the genius of our nationality. To promote its growth and guard its integrity against the dangers of degeneration is a most sacred duty and the highest appreciation we can show for the memory and services of the great founder of the Republic.

While I do not join in the pessimistic mouthings so frequently uttered on the hustings by some aspiring statesman, who perceives nothing but ultimate disaster and national disintegration for our country by reason of the policy of those politically opposed to him, and who always "views with alarm" the political aspirations of those who differ with him in political faith, I do not blind my eyes with a fillet of vain pride to currents in our social and political life which, to me, seem to run counter to the historic traditions and ancestral faiths on which our citizenship is grounded.

The enormous expansion in industrial and economic development since the close of the Civil War has presented many new and difficult problems in both state and national administration, and produced a flood of empiric legislation which carries in its enactments the virus of paternalism, affecting the freedom of individual thought and action, so essential to personal liberty and self-reliant citizenship.

While the political axiom that the "country is governed best which is governed least" is generally admitted, we are, nevertheless, a law-ridden people. The tendency to regulate all human action by law, and to make men and women good by legislative enactment, is rampant, and finds expression in voluminous legislation. Such legislation utterly disregards the fundamental faiths and virtues of our religious, educational and family life.

The family home has been, is, and always must be, the altar at which the sacred virtues of true manhood and womanhood are inspired, and where the young mind is imbued with the great moral lessons of truth, honesty,

patriotism, temperance and self-reliance, which go to make up the character of the citizenship which should guide our private and public life. These virtues are expanded and fortified by church and school, and, if wanting will never be supplied by governmental fiat. The virtue which needs a constant legal guard for its protection is not worth the sentinel. The citizenship which is built up under repressive and oppressive legislation has never breathed the invigorating air of personal freedom; was never steeled by the conquest of temptation, nor disciplined in the school of self-reliance and courage. It is the product of paternalism, the antithesis of American democracy, and has neither individuality nor character.

Akin to such legislation with a similar danger to our citizenship, in my opinion, are such un-American doctrines as the "initiative" the "referendum" and "recall." For more than one hundred and twenty years our Constitution has been the guide of our national life. It has been the unbreakable bond of our Union and the citadel of our liberties. Under its comprehensive declaration of fundamental principles in the administration of human government, a nation has grown up without model or parallel. Its spirit of freedom and humanity has vitalized the life of our citizenship and crowned it with a dignity and glory beyond all similar human achievement.

To engraft these strange and alien doctrines upon our government, either national or state, would be to abolish its representative form ordained by the constitution—the vital principle of political liberty—and to substitute therefor an unbridled democracy; to destroy one of the great conservative forces created by the constitution for the preservation of free government, and to deliver the affairs of the country to the violence and fury of partisan strife, and political and social disorder. Such doctrines, if carried into the political life of our people, will undermine and sap the vigor of that great conservative citizenship which, under the Constitution has been the supreme strength of the country in the most perilous periods of her history.

Another menace to the strength and independence of the American citizenship lurks in purely partisan legisla-

tion and practices, whose purpose or effect is to maintain party supremacy and to suppress, or even extinguish, individual independence in political life and action, and to compel subordination of patriotic conviction to the tyranny of party dictation or despotism.

In contemplating this phase of our governmental life, we turn involuntarily to the admonishing words uttered by Washington, with prophetic wisdom, in his historic farewell address to the American people—a document revered by every true American as the inestimable political legacy to this Republic by its mighty founder. Its sentiments should always guide our political conduct and animate us with a patriotic devotion, superior to the behests of party fealty.

I freely admit that political parties are the usual, or perhaps necessary, process of free institutions to carry out the will of majorities, and for the arraignment of political error and fallacy at the bar of public opinion. But, to accomplish or maintain these salutary functions, they must necessarily be of natural and voluntary formation, arising out of identity of political faith and sentiment and uninfluenced by political legislation or “the cohesive power of public plunder.” All legislation, though proclaiming the purity of the ballot as its purpose, which stifles or suppresses free and independent political conviction, is a menace to a high and honorable citizenship, and a peril to the perpetuity of free institutions. Unbridled partisanship, under the domination of unscrupulous ambition and cupidity, sinks to immoral and unpatriotic levels, forgetful of civic duty, and elevates partisan loyalty above devotion to country.

Out of such conditions arise machine politics and despicable office and influence of boss rule. The safest remedy for this deplorable phase in our political life has always been found in that independent aristocracy of American citizenship, which is ever ready to despise the flings and gibes of partisan infidelity and courageously to maintain devotion to country as its highest and most sacred office. The independent vote is a strong conservative force in the administration of our political affairs, and against it

steady ranks, maintained by no other political tie or hope than disinterested love of country, the fierce fanaticism of partisan heresies and schemes have broken into dismal failure and defeat.

Legislation, such as is found in some primary election laws, which weakens or destroys this great civic force by interfering with its free and untrammelled exercise, is destructive of individuality in citizenship, and is one of the lamentable blunders of misguided partisanship, or a device of the melancholy fallacy of socialism. Political individuality makes a man an active and independent unit in the exercise of his duties of citizenship—it emancipates him from the reckless domination of others and protects him against the wiles and bluster of the demagogue.

Inordinate wealth seems to develop at times, an atrophy of patriotic sentiment most unwholesome to the duties of good citizenship. Nothing is further from my purpose than an assault upon wealth. It is the legitimate reward of diligence and frugality, of economy and the energies of financial genius. It is founded upon the natural right that every one is entitled to the fruits of his own exertions, and wheresoever personal liberty prevails, must have the protection of the law as one of the primal rights of man. It is a blessing to the nation and absolutely essential to its growth and development, its progress and stability, its protection against the assault and aggressions of foreign hostility and the maintenance of its rank among the nations of the earth.

Combined with the energy and resourcefulness of our people, the great wealth held by private individuals in our country has developed an era of industrial progress, expansion and achievement heretofore unknown to human activity, and has raised our country, though the youngest among the great nations of the earth, to a plane which excites the wonder of mankind.

While this is all true, it would be folly to deny the fact that great aggregations of wealth have stood, and even now stand, in defiant rebellion against the laws of our country; thereby arousing a spirit of dissatisfaction among the people, and inviting contests waged along lines not always

within the limits of the law or the orderly administration of public affairs.

"We live in a country ruled by law not by men." The law, and the law alone, is the majestic embodiment of our national and state sovereignty, which prescribes for all of us, high or low, rich or poor, strong or weak, a course of civil conduct. The law is the impartial sovereign that protects our lives, our liberty and our property—those great natural rights of every individual, which open to him the avenues for the pursuit of happiness. He who willfully defies or infringes the law violates the guardian spirit of our institutions, brings dishonor upon his country and falls into the class justly designated as "undesirable citizens." Such a man is his own and his country's enemy, for he imperils the fruits of his own industry and undermines the moral forces, which, in our country, recognizes just property rights as one of the essential elements of civil liberty. To no one does the obligation to observe the law appeal with stronger emphasis than to the owner of private wealth, for in the last analysis, the law alone offers security for his possessions and protection for his own. Wheresoever the voice of the law is hushed into silence, liberty is in exile and the right of property the very foundation of private wealth, finds no abiding place.

Among the industrial organizations which deeply impress the quality and character of American citizenship belong the great labor unions of our country. They constitute a distinctive and aggressive force in our civilization. Mechanics, artisans, craftsmen, laborers and wage earners of every class belong to these unions, and their membership is counted by the million. The great rank and file of this membership are patriotic citizens, and among them are men of eminent ability and profound thinkers upon economic and industrial questions, who, as patriotic Americans, I am fully persuaded, will guide this great industrial movement in harmony with the spirit of American constitutional government.

Freedom and dignity of labor in factory, forge and farm, in the operation of our great commercial highways, in mine or forest, and every other part of the vast field

of present day activity, are at the basis of our tremendous democracy, and, in every legitimate effort to promote their welfare, deserve the support and sympathy of the people.

To reduce labor to a state of servility is to strike down individuality and manhood among the toilers of the nation, and to lower the standard of American citizenship.

The country which brings to its laborer only the burdens of toil and no adequate rewards and benefits, takes from his soul the inspiration of hope, the joy of life, and banishes from his heart every sentiment of patriotic devotion. Such conditions in other countries have been the cause of vast immigration to American shores and should never prevail in this country. By diminishing the hours of labor and maintaining a fair and reasonable wage, organized labor has relieved oppressive conditions, raised the dignity of labor to higher levels and impressed it with a broad and sympathetic humanity.

While I freely and unreservedly avow myself a friend of organized labor, I would be untrue to my convictions and to the truth as I see it, to maintain that the policy or practice of unionism has been, or is, in all of its features, wholesome to, or promotive of, sound American citizenship. The spirit of intolerance which would exclude non-union men from work or employment, and proscribe those who offer it, finds no support in morals or law, is un-American and of the very essence of tyranny. To interfere with or abridge the free and untrammelled exercise of the primal and sovereign right of man to earn his bread, is a violation of the sacred obligation of citizenship and a crime against personal liberty. The right to labor is a natural, yes, a divine right, which belongs to every human being. It existed before human constitutions or human laws were known; it is the rule of the universe and has its seat in the bosom of God. Every human law, decree or command, whether promulgated by government or any association of men, which would strike down the freedom of man's right to earn a living by honest work, in the manner of his own selection, is a peril to the matchless democracy

of American citizenship, and if successful, puts the shackles of serfdom upon the arms of American freemen.

Another phase of unionism unfavorable in its effect upon the growth and development of a strong and self-assertive citizenship, is a failure to recognize and encourage individuality. The strong and the weak, the efficient and inefficient, the hustler and the laggard, mediocrity and ability, are leveled by a common wage rate and yoked in a common destiny. Such a practice is to reverse the order of creation; to overthrow nature's plan of human progress and development; to paralyze natural talent, and to deprive energy and capacity of a just reward. It is the doctrine of a false socialism which would benefit humanity by destroying the ambition and aspirations of the leaders and pathfinders of men to greater achievement and higher ideals. Genius, talent, ability and capacity are of divine endowment, and should never be dwarfed by institutions of society or government.

No country in the world offers more generous opportunities or a more inviting field for those who follow the mechanical arts or those who pursue the vocation of laborers, than our own country. The vast number of laboring men who have attained wealth and comfort and prominence in public and private life, fully attests the truth of this statement.

Complete equality before the laws and the right to vote and thus participate in the administration of public affairs and the passage of the laws under which we all live, invest each wage earner, of every rank and class, with a wholesome power to foster and protect the just rights of labor. And this power has found frequent expression, beneficial to labor interests, in both state and federal legislation.

The primary purpose of organized labor is the improvement of industrial conditions, to lighten the burdens of labor by diminishing the hours of work, to maintain a fair rate of wages and generally to elevate the lot of the laborer by bringing to him a larger share of happiness and comfort. While it is most commendable to promote these humane and noble purposes by organization and mutual

aid, it should ever be remembered that violence to public order and the lawless invasion of the private rights of others, outrage the obligations of good citizenship and will not lead to the desired goal, but, if persisted in, must culminate in failure and disaster. The spread of unionism must depend upon the benefits it brings to its members, and is a work of education, not of force, menace or intimidation, nor the arbitrary invasion of the rights of others, nor yet a disregard of the rights of the public.

To maintain the exalted standard of citizenship handed down to us by the fathers of the Republic, the men and women of this country must be something more than mere bread-winners. The idea of self-government, by the process of universal suffrage, to be successful and permanent, demands a course of conduct which will promote, not lower, the ideals of citizenship. Let union men ever keep in mind that they are American citizens; that the great problems before them must be approached and solved in the spirit of American principles; that equality of right and opportunity to all and special privileges to none, are doctrines of American birth, ordained and guarded by solemn constitutional declarations, and that a triumph achieved by the sacrifice or overthrow of this heritage of American freedom is a blow at the freest, noblest and most generous government ever devised by the brains of man. The humane and beneficent purposes of organized labor prosecuted and developed upon these lines cannot fail to succeed, because they will be in furtherance and support of a higher and cleaner citizenship and will have the good-will of the American people. What I have said on this subject I submit to the candid consideration and reflection of the thoughtful and intelligent wage earners of our country.

No subject more deeply moves the sympathies or challenges the anxious consideration of every thoughtful citizen of our time than child-life in our nation. You, who sit under the sound of my voice, freely give your love, your ceaseless solicitude and all your energies of mind and strength to rear your children as models of society and citizenship, both in body and mind. But out yonder, on the highways and byways of our great republic and princi-

pally in the nooks and corners and on the narrow alleys and dingy streets of our great cities, there roams and surges a mighty childhood, growing to manhood and womanhood, bereft of such fostering care, from which must come, in no small number, the men and women who, in the generations before us, will take active part, for good or evil, in the destiny of the republic. What that part will be when exercised by men and women stunted in morals, mind and body, it requires no argument to demonstrate. In the republic like ours, it is axiomatic that, unless the people are educated and enlightened, it is idle to expect the continuance of civil liberty or the capacity for self-government. The truth is, and we all know it, illiteracy in this country is a crime for which the states that fail to enforce compulsory education in public or private schools are responsible.

No less detrimental to our citizenship than illiteracy is the cruelty of child labor. I do not wish to be understood as contending that children who have reached the proper age should be entirely excluded from work commensurate with their capacity and so apportioned as not to interfere with necessary freedom and opportunity for education. Such work cultivates habits of diligence and thrift and trains the faculty of judgment and the habit of self-reliance. I speak of that child labor which is a dungeon where helpless and innocent children are tortured and mutilated by a penalty of depravity and deformity in mind and body. Oh! that the men and women of this country would rise in their might and wipe this abomination from American soil.

These words are not empty declamation. They sound a solemn warning of an imminent danger to the citizenship of our country. The incredible, yet well authenticated statement has been made, that "one in every twenty of all the children in this country, from the age of ten to sixteen years, is working in a factory, coal mine, in trade or transportation, many of them slaving in the night in grimy workshops in big cities, deprived, in most cases, of elementary education, and forced, in many instances, to association with vile and evil companionship."

American democracy, in its ideals, its tremendous magnitude and ultimate destiny, looks in vain for a model to the ages of the past. It is here on American soil that the portals swing wide to the children of men from every clime and every land. It is here that this vast, incongruous and heterogeneous mass of humanity must be welded into a homogeneous nationality, learn the lesson of American democracy, and "the value and sacred obligations of American citizenship," to the end that "government of the people, by the people, and for the people may not perish from the earth." To successfully accomplish this mighty task, we must preserve the morality and physical and mental strength of American childhood as the best foundation upon which to build that lofty citizenship, sanctified for all time by Washington and Lincoln.

In the midst of our abundance and strength, let us not forget that the glory of our nation is not embodied alone in commercial and industrial power, nor in material wealth and military prowess, but that it shines forth with more enduring splendor in a strong, devoted and enlightened citizenship—not a citizenship which subordinates all civic duty and obligation to political achievement, nor that which believes that the summit of all civic duty has been attained by winning the emoluments of fortune; but a citizenship dowered with the capacity, courage and devotion to maintain and preserve free constitutional government upon this continent for all time. In my humble judgment, the exalted purpose of this great club "to inculcate a higher appreciation of the value and sacred obligations of American citizenship," should be the battle-cry of every loyal American until its call is heard in every home, and lodged in every heart throughout the length and breadth of our country. With such a citizenship, this great republic, "foremost in the files of time," shall continue to stand in our day and generation, and throughout the stretch of the ages before it, as it stood in the consecrated hope of mankind, when the dauntless courage and unequaled wisdom of Washington fixed its star in the firmament of the nations, all luminous in the cloudless glory of his matchless fame.

*Speech at the Banquet of the Union League Club of
Chicago, February 22, 1910.*

Gentlemen of the Union League Club of Chicago:

I AM a Democrat—who frequently votes the Republican ticket.

Now, with that statement, I think you will all be convinced that such a man has a simple faith and does not hope for political preferment. That simplicity of faith is the story of my Iliad that I am going to tell you to-night. Some months ago I received a charming invitation from a distinguished gentleman of this club in which he did me the great honor to invite me to deliver an after dinner speech before this club on this very night. I took some time and effort in preparing such an oration, and I thought I had it about all collected so that I could express it in passably good English, when I received a telegram from him in which he told me that Senator Dolliver, one of the great senators of the United States whom everybody—whether he agrees with him in his political faith or not—admires as a great American, had suddenly been stricken with illness, and he requested me in his charming and graceful way to deliver an address in place of Senator Dolliver at the Auditorium on this day. I was fully aware that for anyone to endeavor to take the place of Senator Dolliver was assuming a very large and difficult contract, and did so with very much hesitancy, simply determining in my own mind that in accordance with the old principle which rules us usually in Texas, not to be afraid, be sure you are right and then go ahead. So I, with much diffidence, acceded to the invitation of my friend, supposing, of course, that under such conditions I should not be required or requested to deliver an address at the banquet before this distinguished assembly. And in that simplicity of faith which Democrats have who sometimes vote the Republican ticket I moved along those lines and started from far away Galveston, where the sun was then shining brightly, and soon plunged into an enormous

snow storm, which has been my faithful attendant ever since. I arrived here and was received so splendidly, so hospitably, so charmingly, that I forgot all of the privations and hardships of the long route, and cheerfully entered into the celebration of this great day. For, you know, we down in Texas love this day very much. I have sometimes thought that the people of Texas, by reason of their more recent experience, are probably just a little nearer to the great founder of our republic than others who have lived so much longer and so much farther away from that great and wonderful man.

There was a time, as you all remember, when a man by the name of Santa Anna was lured by the meteor of conquest into the border of that great and wonderful empire known as Texas. We followed in the footsteps of Washington in his struggle for independence, and we believe that we have a right to say—we do say it and are proud to say it—that to-day the Alamo and San Jacinto stand side by side with Bunker Hill and Yorktown as enduring monuments of heroic achievements in the cause of constitutional government and human freedom.

But to return to the Iliad of my woes. I prepared my speech and delivered it to-day and had the great satisfaction and great honor of having it received by the people of Chicago in a most gracious and pleasant manner, and I congratulated myself that I had been quite successful, and that now I might sit down at this banquet and enjoy its luxuries in absolute peace of mind, whereupon, just as I entered the banquet hall, this program was shown me, and I am down for a speech.

Now, my friend did not tell me of that, and I to'd him to-day, and also our distinguished toastmaster, that it reminded me of a story of an old colored friend I have down in Texas whose name is Cy Johnsing; he had four wives, and buried them all, and as he said, "I thought I was out of all difficulty then, but, lo and behold, the parson said there was another one and I had to marry her. Now," he says, "I want to tell you, Judge, that I am the victim of an unscrupulous Providence!" And I charge my dear friend with being that unscrupulous Providence.

I asked him this evening, when he apprised me of the fact that I was to make another speech and again tax the patience and time of you gentlemen, on what subject he thought or desired that I should speak. "Why," he said, "select your own subject. Speak on the great flood in Galveston." And that you know was just slightly intonated by our distinguished presiding officer in introducing me this evening. Well, now, that reminded me of an experience that a friend of mine had on that subject. His name was Brown. He died and went to heaven, and when he went to heaven he was introduced to everyone there as Mr. Brown of Galveston, and as everybody in heaven had heard of the great flood in Galveston, they were very anxious to see Mr. Brown and were never tired of listening to him tell about the flood. Everbody paid him great respect and paid great attention to what he said, with the exception of one old man with a long gray beard, who was always snorting with disdain whenever Mr. Brown of Galveston spoke. Finally, Mr. Brown of Galveston, said to St. Peter, "Who is that old gentleman over there?" St. Peter said, "Why do you ask?" He said, "Because everybody is interested in me and is polite to me, except that old gentleman, and he seems to be very much disgusted whenever I tell about the flood in Galveston." St. Peter says, "Well, I don't wonder at that. He is Noah."

Now, in looking around on this brilliant assembly, I see no men, I believe, who would aspire to the age and longevity of my ancient friend, Noah, and I do believe I would be entirely safe in entering upon a graphic description of one of the greatest cataclysms—I dare say the greatest—that ever overwhelmed a city on the western hemisphere. But I determined not to do so, gentlemen. I do not think that you will be particularly interested to-night, which is one of joy and pleasure, in hearing a description of horror, grief and destruction, and I know that I have no desire to bring once more to my mind's eye that awful night of doom that I spent on the 8th of September nine years ago in the city of Galveston. And I prefer, if you will permit me, just to say a word or two

about the city of Chicago and, incidentally, refer in that connection, to the city of Galveston.

If I had the naming of the city of Chicago, I would call it, "Chicago, the City Magnificent." I do not recall in my reading of history and the development of great cities of antiquity, down to the present time, of any similar instance of the wonderful growth and development of this great city. I know that in modern history there is no parallel or example, and I have often thought of Chicago and referred to the great city as one of the wonderful, the marvelous accomplishments of American citizenship. It is true—very true, as stated by President Garfield, that the one thing that people who do not live among us say about us, such as Ambassador Bryce, is that it is almost incomprehensible why a people of such wonderful virility in governmental and industrial affairs, who have built up such a great national government with its enormous departments and business, which works like a clock almost, and which is composed of so many different sovereignties under one great nationality, each having its government and working out the welfare of its citizenship, should be so absolutely deficient in municipal administration. I dare say those who read the thought of the economists of France and of Germany will find the same expression of wonder why it is that the great cities of America, in the administration of their municipal affairs, are so far behind the great cities of Europe in bringing to the inhabitants of their cities so little comfort and advantage for the great amount of money that is spent. We all know that the primary purpose of municipal government, which comes so near to us, is the preservation of the public health, the construction of perfect roadways called streets, the acquirement—usually through private efforts, but under municipal dictation and direction—of the light, the heat, the water, the sewerage, and we see and feel at once that there is no part of government that is so near to us and that so constantly takes hold of the little affairs of life which make up the daily things that constitute life, as municipal government. We get up in the morning, and the gas won't work; it is very disagreeable. Or, we cannot

get any heat, or the sewerage does not work and there is discomfort for us everywhere. There is dirt on the streets, our health is in danger, and the very comforts of life that we all need for the purpose of doing the work designed for us seem to be absent. Now, evidently, there is somewhere in our municipal government a great error. There can be no doubt of that. Now, we down in Galveston worked along the same lines. We are a small city. However, we are located at the gateway of one of the great harbors of the United States, a harbor upon which the national government has spent nearly fifteen million dollars. It has created a harbor that is equal to any on the coast of the United States, and through it goes daily the immense commerce, not only of the imperial State of Texas, but of the entire great west behind it, reaching away up into Colorado, into Iowa and into Nebraska. In the great cataclysm which overwhelmed us, it seemed for a while that even civic life had been permanently destroyed. But as we recovered from the stunning blow which had been delivered to us and once more turned our faces to the rising sun, it became evident to all of us that we were simply in an awful and difficult situation, and we never had learned from American history, from our American ancestry, from the gallant men that followed Houston in his conquest of the land of Texas, that Americans were ever ready to quit—and we did not quit.

The first thing to rehabilitate the civic life and the ordinary commercial energies of our city required a rehabilitation of our government. The old system seemed to be entirely inadequate to meet the enormous difficulties which had come upon us. And thereupon, a few gentlemen in Galveston met together and they evolved out of their consciousness what is to-day known all over the United States as the Galveston plan of commission government. It has worked very satisfactorily with us. Our city has been rehabilitated. It is again on the high road of commercial splendor. There is no port in the world that does not send its ships to the harbor of Galveston, and there is no port in the world to which you cannot go by a ship from the city of Galveston. The city has been protected

against the ravages of the angry sea by a mighty seawall, and in order to strengthen that and place the city above and beyond the danger of a similar occurrence, the city has been raised, and to-day it is as flourishing—and more so—than it ever was. And here in July of last year, old Neptune once more raised his anger, and the winds blew down, coming from the same old source, the Carribean Sea, and lashed it into a mighty fury, until its great waves rolled against the seawall of Galveston and broke and their spray mounted the air a hundred feet. The seawall stood solid. There was not an hour's delay of business. And the demonstration was complete, that the city of Galveston, the great port on the extreme south of the Union, on the gulf, and the port that will be nearest to the Panama Canal, was a safe place, not only to do business, but to raise your family.

Now, the commission government of Galveston has nothing very extraordinary in it, except that its leading idea is simplicity in municipal administration. One of the great troubles with our municipal administration, so we thought, was its enormous cumbersomeness. It had so many branches and ramifications. It had so many officers. The people whenever they elected new officers had to vote for so many people that the ordinary man could never grasp the number of men he voted for, and finally, Mike, who runs the grocery store just across from the ward, why, he knew Billy Murphy, and he voted for him, and the balance of them would go. I have always thought that one of the great weaknesses and errors in municipal affairs is its great multiplicity of officers, and that if you reduce that to a simple machinery of government, it is one that works with a great deal more efficiency and at the same time is easily within the control of the people by reason of that simplicity and its publicity.

Then again, there is in our commission government a great concentration of power. In fact over every department there stands one man. Say, your fire department; there is a single commissioner who is at the head of it, who is the person who is held responsible by the people as well as by the entire Board of Commissioners for the man-

ner in which the department is operated. Weekly he makes his report of the condition of that department and what is necessary for the purpose of strengthening or keeping up its efficiency. That comes before a board of four or five business men—because we have a mayor who has no power of veto, he only has a vote; we discuss that condition just like any of you who represent great industrial interests when your boards meet to discuss the questions of what ought to be done. Now, the foundation of that idea with us was that it was a great mistake to suppose that politics or political rights entered into the administration of municipal affairs. When we speak of political rights we all understand them. I need not explain them to you. They are affected by our national government and by our state government. But a municipal government is a simple business in which the commissioners are the representatives of the stockholders—the people who own that city. And all the troubles, in my judgment, that have come to municipal life in the United States arise out of a wrong idea that some great political right is involved in municipal administration, that we are apt to have our liberties taken away from us; that we are apt to have taken away from us some great natural right which has been granted by constitutional provision in this country. Not so. It has nothing to do with it. Run your city as you run a great corporation. Put your men in it who are able to take care of that sort of a business, and do it in the simple way that it is done in business, and it works easily and smoothly, and very satisfactorily. For a while, probably, some gentleman who bears the title of politician—not such as you mentioned, Doctor, but who is a politician for revenue only—will object to that character of government because every opportunity for graft, every opportunity for reckless expenditure of public funds, fades away by reason of this publicity and by reason of the fact that a single man whose honor is at stake, who knows that the very moment—if he is not possessed of that sense of personal honor which should animate every good American citizen—that he oversteps that line, he is bound to be discovered. There is nothing to hide. There are no committees to re-

port to and to consult behind closed doors. Publicity is at the foundation of commission government.

I make these remarks not to contend, gentlemen, that the commission government of Galveston has been proven beyond all question as a complete success—because it is too young, we are only nine years old—but I do say that it worked admirably with us, and that it has lifted the city from absolute financial ruin, from the slough of despond, and has again rehabilitated it and made it one of the thriving, splendid cities of the United States. It is an accomplishment of which the people of Galveston have a right to be proud.

Now, is it possible to introduce this government in a great city like Chicago? Why not? Why not? It may be possible that it could not be worked with the same amount of force that we operate the little city of Galveston, but with very slight additional force it could surely be done. And right here I want to make a remark which probably will strike you as very strange, and that is, that in the commission government of the city of Galveston there is no politics. Everybody there has got to be a Democrat—who has a right to vote the Republican ticket. And I desire, also, to correct an error now into which some of your leading papers seem to have fallen from some remarks I made to-day. One of the papers said that a sort of a chill fell upon the audience when I made some remarks in which I expressed my opinion somewhat derogatory to the initiative, referendum and recall, and the paper stated it was strange that I should say so, because I was reputed to have had some part in the creation of the commission government of the city, and that that commission government had the recall. There never was a greater mistake. There is no such thing in the commission government of the City of Galveston. It has been adopted by some other cities who have followed the commission plan and added the recall to it. My own judgment is that those cities will find that they have made a great mistake, because if there is one thing that we all know, no government, no administration, no board of directors, no board of commissioners, can be of any efficiency unless there is stability with it.

All of you know how frequently, for some little thing that no one could imagine, a city administration becomes unpopular, and how easy it is for those politicians—not your kind, Doctor—to get up a petition and to put into force the recall and to put these men out. Well, if you are going to have that sort of a government, you will have none. You will have something that has got no stability to it, something that has got no force to it, something that has no character in it, and something that will not be able to accomplish anything at all. The American idea, as it is reflected in the constitution of the United States—and I believe in every Constitution of every state in the Union—is that this government is a representative government. It is not a democracy like the cities of ancient Greece. It is one of the distinguishing features between our government and the government of ancient Greece that we have in it the conservative force of representative government, and not the inflammable public mind that sometimes will arise just as when a spark of fire is dropped into a powder house and explodes. Give it time for reflection, and if the man who controls your government is a good man and his ideas are correct, they will speedily come to him. If, however, he has made an error, our government provides how he shall be retired and some one else put in. But certainly no business can succeed that has no stability to it, that changes with the whisper of every idle wind, and is like a school boy's tale—the wonder of the hour.

Now gentlemen, I want to say before I conclude—I have made these few remarks, I could talk to you for hours on this subject, because it has been one of a great deal of thought and interest to me—my own judgment was, and when the question first came up I stood alone in the small council which created the commission government, that all commissioners should be appointed by the Governor. My idea on that was to remove commission government entirely from the influence of politics, and I finally prevailed in that. However, the legislature differed with me and gave us two commissioners that were elected and the other three appointed. I know that this is very debatable ground, and I probably stand quite alone in my own city

on that subject. However, I have not given up the fight. I believe finally that is the solution of complete commission government, because it divorces municipal affairs from politics.

In conclusion, I want to say how very much I am indebted to the officers and all the gentlemen of the Union League Club of Chicago. I can assure you all that I shall ever remember the few days that I have been among you, with a great pleasure, and shall always feel in my heart that I owe all of you a debt of gratitude which I trust some day I shall be able to return to you, and to show you how much, how very much, I have appreciated your hospitality. I am from the South. I was born in the State of Texas. My parents participated in the revolution against Mexico. I have been educated in the South. I completed my education at the Washington and Lee University in Virginia, and I am a Southern man with every pulsation of my heart. I love the Southern people, but understand me, gentlemen, I am an American. I love every true American, and I can assure you to-night, upon my conscience, that there are not a more loyal and splendid people, more loyal to the flag of our common country, in all this Union, than there are in the South. We have settled our difficulties in the highest court of nations—the arbitrament of battle—and, so far as we are concerned, the trouble is over now and forever. Because of that great conflict at which we flew at each other's throats, its proper interpretation never meant that Americanism was lost in the hearts of the Southern people. With you, they believed then, and believe now, in the great principles of American liberty. They carry in their veins the same blood that runs in yours. Their ancestry has been the same from time immemorial—yea, when it was first discovered by the Romans in the great forests of Germany. And there is no reason why, since the issue has been decided, there should be one particle of enmity or one spark of hostility. The Doctor is right, the American people are fighters. They fight hard; they fight awful hard; and that fight sometimes brings upon them great grief and destruction; but when it is over, there grows out of that fight

always some benefit to mankind, as it did in our great war, and to-day, by reason of that fight, we are a stronger nation; we are more closely united. Our sentiments and feelings are more identical and more clearly associated than they ever were during any part of the history of our country. And I say to-day—and say it with the utmost good faith, and with a heart full of love for my countrymen in every part of the Union—the fight is over, we are brothers, and to-day stand—as I said in my speech—from Maine to Texas and from Florida to California, in solid, united and patriotic ranks, exclusively and solely in support of our flag and country. Long may it live!

What Galveston Has Accomplished in the Past Ten Years.

LAST of the regularly announced speakers, Judge M. E. Kleberg, City Attorney for Galveston, was called upon for a response to "What Galveston Has Accomplished During the Past Ten Years. What Those Interested in Her Development Must Do During the Next Decade." Judge Kleberg was introduced by Toastmaster Kempner, as "His Teutonic Majesty, the City Attorney of Galveston," amid hearty applause. His speech was characterized by splendid oratory and was greeted with prolonged applause.

"I know but this," said Judge Kleberg, speaking of what Galveston has accomplished, "I know that when the first streaks of a gray dawn fell upon this city on September 9, 1900, I was sitting upon a pile of debris and looking out upon the most desolate picture that human eyes ever beheld. And sitting there I realized that nature had shown to us one of the most awful nights ever known on the habitable globe. I realized, after we had furnished a decent sepulchre to our fellow citizens, in God's earth, or on a funeral pyre made from their wrecked possessions, that nature had demonstrated a way for the establishment of protection to our city. I ventured to suggest that Galveston could be made as safe as any city in the United States. Thereafter was presented to the people of the city

and county the seawall proposition. After that element of safety had been obtained, the next thing that was necessary was to devise some government. The government was devised, and out of it grew what is now known as the commission form of government all over the United States. It grew out of dire storm and stress, and out of its administration has grown a series of improvements which, I dare say, no other city on the face of the globe has constructed. There were the seawall and the grade raising carried through to insure our safety. And the seawall was built almost entirely by citizens of Galveston. I'm not going to elaborate the fulsome praises of the people of Galveston, but when it is remembered that our population was reduced from 40,000 to 25,000, I believe that I'm safe in saying that no other people has ever accomplished the feat done by the people of the City of Galveston. There were few of us here—less than 25,000—but we built the seawall, and we re-established a credit that was absolutely dead after the great storm. The city had no rating anywhere on the face of the globe. Its civic life was extinguished by the angry waters of the gulf. And now, not only have we arisen from the waters of the sea, but we have given the world a form of government that has been greeted with the acclaim of all the country. We have re-established a commercial activity that ranks high, and we have shown that the people of our city are possessed of the martial and indomitable spirit which animated our forefathers in their contest for liberty—which rived the bonds that bound us to Mexico—which placed a young republic among the nations of the world. It is a spirit which is the genuine attribute of true Americanism. Many of you who are listening to me have passed through all that I have described. You have given it all little credit, thinking that it was your duty. But that was the spirit that made it all superb—that exemplification of American citizenship. We have spent for civic improvements more money per capita than any other city in the world.

“We still sit proudly in our island home, and still the argosies of the world land proudly at our wharves as in the days of yore. Are we going to continue that de-

velopment through the days of the next decade? Let me give you the advice of an old man. I'm not going to indulge in imagery or philosophy. Do you know the secret of our success? It is from our citizenship, that arose from the power and energy that survived the catastrophe of 1900, that regulated our city and inspired everywhere a feeling of confidence in Galveston. It was the work of our citizens shoulder to shoulder. And with that spirit continuing we shall build up a city of which not only we and our progeny shall be proud, but every state in the Union. And above that state shall twinkle, like the diadem of the heavens, the Lone Star of Texas."—*Galveston News*, Feb. 9, 1911.

Galveston and the Panama Canal.

GALVESTON and the Panama Canal, was the next toast, to which Judge M. E. Kleberg responded.

There is no one within the hearing of my voice, said Judge Kleberg, who for a moment thinks that I could in the space allotted me present a fractional part of the fact in connection with the Panama Canal. The coming completion of that canal has attracted the attention of practically all of the citizens of the country. It has monopolized debates in congress. It is a common topic with the people of all the world. Its completion means an epoch not only in our history but in the history of the world. It is a mighty peak in the history of mankind. No one can, even with the strongest imagination, peer into the future and tell what that completion will bring. I can say honestly that never in the history of mankind has been completed so stupendous a task. We are about to join two oceans, about to make the Atlantic and the Pacific as one. The Orient, the Far East, is to be brought to the door of the West.

It may not meet with the approval of all of my hearers when I say it, but the destinies of the world are ruled

to-day by the commerce of the world. The commerce of nations in these days is the only cause of war.

In the completion of the Panama Canal the United States is assuming an enormous responsibility. So great is that responsibility that, in thinking of it, conjecture loses itself in wildest speculation. Never before in the history of the nations has just such an enterprise been attempted or reached completion.

Thanks to the navy of the United States, the hermit nations of the East were awakened from the slumber of centuries. To-day they are awake and equipped completely. Their commerce is growing. Their strength is growing. Are the people of the United States prepared to take the responsibility that will come with the opening of the canal?

You gentlemen who listen to me to-night are holding the destiny of Galveston in your hands. You are holding the destiny of the mightiest port of the mightiest state of the Union. You are at the door of the Panama Canal. The Orient needs the wool, the flour, the cotton, the hundreds of commodities that can be shipped to her from that great portion of the country we call the South and the Middle West. We in the port of Galveston ought to handle this traffic.

We are next door to the ports of South America. We are better prepared to control the destinies of those ports than any other port in the United States. Gentlemen of Galveston, will you be equal to the occasion? The State of Texas has not begun to develop. We have 248,000 square miles and 4,000,000 people. Germany, with many thousands less square miles, has 64,000,000 people. The men of that nation are all over the world. Why is this? Texas is as arable as Germany. Why should this continue to be, when the opening of the Panama Canal will fill Texas with thousands upon thousands of immigrants? This is but one idea in connection with the opening of the canal.

The obligation that the United States assumes is the protection of that canal. Our men and our money are building it. Will it remain what it is now, an American

proposition? How are you going to make it remain American? By furnishing and equipping an army and navy that are equal to the stupendous task, and in no other way. I know, and we all know, the axiom that a standing army is dangerous to liberty. It has become axiomatic that civil authority should overshadow military authority, if freedom is to be preserved. I do not war with that doctrine now. But I have no fear of the American armies. When necessary they will protect and defend the country, and when necessary, as was shown in the Civil War, they will retire to civil life. I have no patience with the loud-mouthed politician, who, from every stump in the country preaches the danger of an army. We need a larger army and a larger navy, and where can you find a better base for them than in Galveston?

Without any fear of logical contradiction, I now propose to the government of the United States the fortification of the Panama Canal and of Galveston as the nearest port to that canal. I know that these proposals excite the risibilities of great statesmen—but the country is marching on, notwithstanding and nevertheless. If the representatives in congress are afraid of fortifying the canal, are afraid of an increased army and navy, the people of the United States are not afraid of either—nor are the officers of that army and navy. The great ditch is to be an American ditch, now and forever. And I believe that the Panama Canal, the greatest and mightiest canal known to mankind, is to find its port in our Galveston. Gentlemen, I propose to you this toast: To Galveston, the port! To the Panama Canal and its completion!

This toast was also drank standing, the band playing "Dixie" while the applause was general and prolonged.
—*Galveston News*, June 9, 1911.







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